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*Proceedings of the Annual Congress
of the American Prison Association*

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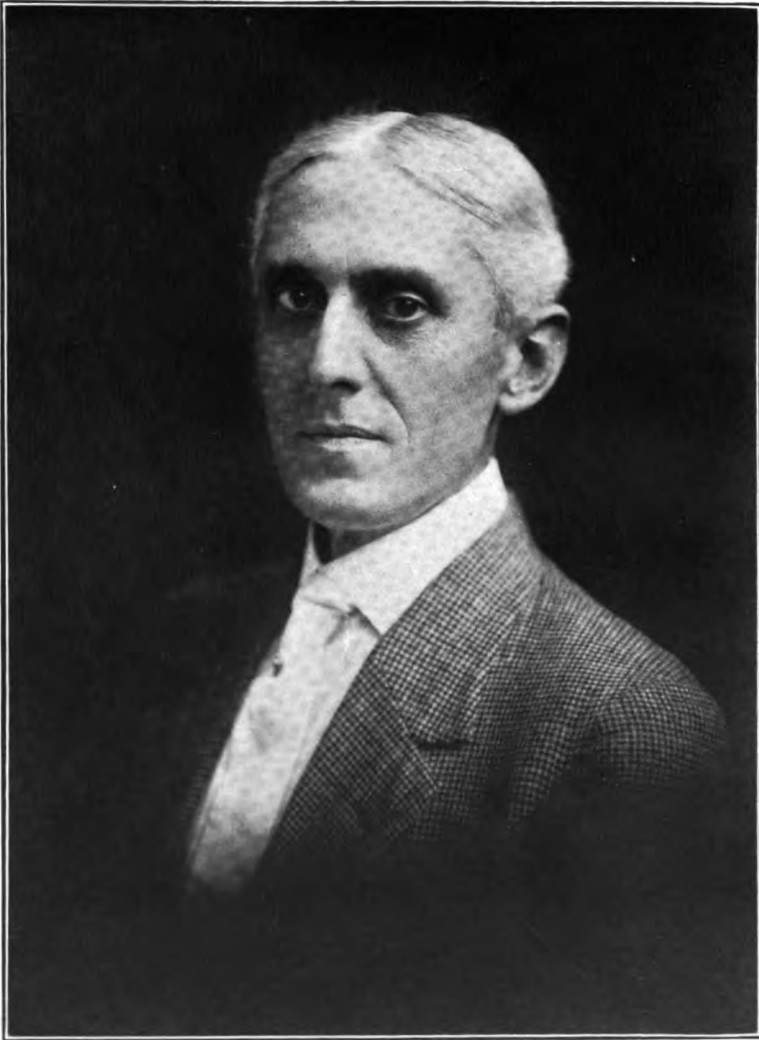
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JOSEPH P. BYERS
PRESIDENT AMERICAN PRISON ASSOCIATION, 1914-1915

Proceedings

OF THE

Annual Congress

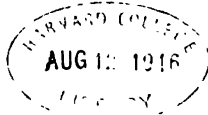
OF THE

American Prison Association

Oakland, California, October 9 to 14

1915

**INDIANAPOLIS
WM. B. BURFORD, PRINTER**



*Motelli fund
(1915)*

Objects of the Association.

1. The improvement of the laws in relation to public offenses and offenders, and the modes of procedure by which such laws are enforced.
2. The study of the causes of crime, the nature of offenders and their social surroundings, the best methods of dealing with offenders and of preventing crime.
3. The improvement of the penal, correctional and reformatory institutions throughout the country, and of the government, management and discipline thereof, including the appointment of boards of trustees and of other officers.
4. The care of, and providing suitable and remunerative employment for discharged prisoners, and especially such as may have given evidence of reformation.



PREFACE.

One cannot read the papers and discussion of the present volume of proceedings of the American Prison Association without being impressed with the constant and unusual emphasis given to the subject of mental defectiveness in its relation to delinquency and crime.

This emphasis appears whether the subject discussed is discipline, probation, parole, juvenile delinquency, misdemeanants, prevention, discharged prisoners or jail administration. The conclusion is inevitable that we are becoming increasingly conscious of the fact that there is a complicating element, heretofore largely unrecognized, running all through our problem of crime and delinquency.

It is an element that exerts an unfavorable influence upon disciplinary methods; that nullifies in many cases the successful operation of parole and probation; that promotes juvenile delinquency; that is responsible for much of what we call petty crime, the misdemeanor; that renders more or less ineffective efforts at crime prevention; that often taxes and defeats the best efforts in behalf of discharged prisoners; one that in itself is sufficient to make our present county jail system a reproach to civilization if it were not already so. And this element is feeble-mindedness.

We do not yet know its real dimensions; we cannot with precision state just how far it extends; time and scientific research alone will tell us. That our prison and reformatory officials are awake to the importance of pushing this research work is shown in the present volume. While there is much about the subject that we do not know or can only surmise, the facts already developed indicate that the next step in the control and prevention of crime must be the identification and permanent segregation of those who become a menace to society because their criminal tendencies are stronger than their powers of inhibition.

The 1915 Congress brought together representatives from thirty-eight States, Canada and Cuba. It was anticipated that the European War, the long journey across the continent and the distractions of the Panama-Pacific Exposition would combine to seriously affect the attendance at and interest in the sessions. Agreeable disappointment was met in both particulars. The number of members at the Congress was much larger than could have reasonably been expected and the interest in the sessions was maintained through to the closing session.

The character of the papers and the more than customary opportunity for discussion contributed to make the Congress a notable one.

On Tuesday afternoon the delegates were guests of Warden and Mrs. Johnson and the Board of Prison Directors at San Quentin. Going direct by boat from the prison to the Exposition grounds in the early evening, the Congress was welcomed by the Exposition officials and presented with a bronze medallion in commemoration of the occasion.

J. P. B.

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MISS MOFFETT RICHARDS, 93 State House, Indianapolis, Indiana.

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PROCEEDINGS.

OPENING SESSION.

Saturday Evening, October 9, 1915, 8:15 o'Clock.

The annual meeting of the American Prison Association opened its sessions Saturday evening, October 9, 1915, in the Auditorium of the Hotel Oakland, William N. Friend, chairman of the local general committee, presiding.

Following the invocation by Father Morrison of Berkeley, addresses of welcome were made by Judge Everett Brown of the Superior Court, Oakland; Hon. John L. Davie, Mayor of Oakland, and Hon. C. L. Newmiller, President of the State Board of Prison Directors of California, who welcomed the delegates on behalf of the Governor of the State.

RESPONSE TO ADDRESSES OF WELCOME.

FRANK L. RANDALL, CHAIRMAN PRISON COMMISSION, BOSTON.

The American Prison Association was organized, and is maintained, for certain declared purposes, as follows:

1st. For the improvement of the laws which deal with offenses and offenders, and of the procedure of their enforcement.

2d. To study the causes of crime and of the social surroundings of offenders, and the best methods of dealing with the latter, and of preventing the former.

3d. The improvement of institutions wherein offenders are found.

4th. The after-care of prisoners, and especially such as give evidence of reformation.

We are largely a body of officials having some relation to all those who are charged in court with crime, and not forthwith discharged. The number of individuals falling to some extent under

our direction is very great, and our responsibility is correspondingly great.

We represent the largest item in the expense budget of almost every State. The taxpayer, though he may not realize it, for he does not manifest it, is nevertheless greatly interested in what we may do or attempt to do.

We have more to do with the morals of seriously indiscreet men and women than almost any other undivided agency.

These things dignify our estate far beyond our limited power to respond and discharge, and so we annually appeal to the people to provide us with their support, and sustain us with their earnest good will.

The man who probes the body of an invalid, that corruption may be removed and health may come, is rightly regarded as a professional man, and his laudable office can not be taken from him by caprice, and an inexperienced man, however good in his thoughts and motives substituted in his stead.

The institution administrator causes all necessary attention to be given to the physical well-being of his wards, and in addition is charged with their moral culture, but he is not regarded as a professional man. His tenure of office is likely to be terminated at any time, quite regardless of the success that may have attended his service, and in his stead may be substituted another good man, who must learn, at infinite expense to helpless unfortunates and to the State, the lessons that his predecessor had acquired at the same price. There is no present means of qualifying for such work except in the school of experience.

That is the reason why so many officials are content if they can do as well as those who went before them. It is a reason why some dread as much the adverse criticism of uninformed persons or the public, as they do those things which threaten violence to their own estimate of what is right.

The same cause leads prison officials to restrain their activities to well-trodden paths, and to refrain from even conservative experimentation, though it is the only means from which improvement and progress may be anticipated.

Let it be known that the art of penology is still backward, and

the attempted science of penology is very forward, and that the scientist should be transformed into an artist in the laboratory of the actual work, that his postulates might thereafter carry accuracy, and his conclusions might thereafter be available in the practical field.

In the places of detention the observant chief executive has learned some things so thoroughly that they are generally admitted. One, for instance, is that imprisonment is not to be regarded as a good thing, *per se*, and is to be avoided when avoidable, and resorted to only when unavoidable. Another is that the deterrent effect of imprisonment on those not subjected to it, has been much overestimated.

If one should say that at San Quentin there are a thousand prisoners, we do not immediately determine to change our course of life and we do not redouble our virtuous efforts when we subsequently ascertain that we were misinformed, and that there are really two thousand prisoners at that place.

Fortunately the probation system, and the court procedure of suspended sentence, and the principle of the juvenile court, where the judge acts as a friend of the accused, have justly discredited the old idea of deterrence. This is refreshing progress, and paves the way for other things as good.

If a man is to leave prison tomorrow and go out to liberty, it is inconsistent with that fact that it should be necessary to lock him in a cell inside the prison tonight; and if it is necessary to lock him in a cell inside the prison tonight, he should not go out to liberty tomorrow. This thing is being generally done. It is mentioned without further comment, but with the hope that the public, which must admit the premises, will aid in the discontinuance of the practice by providing the necessary means for so doing.

Another thing that wardens have discovered is that it is necessary to the maintenance of discipline, which is an indispensable thing, that the rules of conduct, and the penalties for their violation, must be adapted to the worst-behaving prisoners; and that by the elimination of a small proportion of the prisoners the rules might be relaxed to the great comfort of all the others, but the uninformed demand that all prisoners should be treated alike, though

they are so wholly unlike, has interfered with marked progress in this regard. In prison there are some very bad men and women whose conduct is so oblique that it challenges their possession of common sense, but there are others whose conduct is good, and always has been passably good, except, perhaps, during one hour of their lives. The former can not be trusted because they are untrustworthy. They can not be put upon honor, because they are wholly dishonorable. "If I swear by mine honor, having none, then am I not foresworn?"

The others, more or less, may be trusted, being in many regards trustworthy, and they may be put upon honor under certain conditions, being in some regards quite honorable, and to such extent as they may be safely trusted, it should be done.

To such an extent as is necessary, prisoners should be kept in cells, but to such an extent as they may be properly placed in dormitories, let that be done, and to such an extent as it is necessary to confine them to a farm, a town or a county, let that be done. From this thought was born the probation system. All this calls for a complete knowledge of each prisoner, a thing for which legislatures are loath to make any appropriations, and which prison officials can, only with considerable difficulty, thoroughly establish.

The prison officials of the United States, Canada and Spanish America, and all the other persons in the various jurisdictions embraced therein, who have come to this annual congress, have no other effective medium for the exchange of information and experience than these pleasant and profitable occasions, and as far as facilities have been placed at our disposal for the carrying out of our serious and important work during the coming week, we beg that the local committee and their assistants, as well as the officials who have been so cordial, will accept our assurance that they have generously contributed to the cause of prison and prisoners and society's betterment.

Mr. Friend then turned the meeting over to the president, Mr. Joseph P. Byers, of Philadelphia.

Mr. Byers: Mr. Chairman, Members and Delegates to the Prison Congress—Sitting on the platform, my mind has been busy

reviewing our membership. Looking over the audience I have been noting the absent members. We are away out on the Pacific Coast. Many, many of our members, because of the demands upon their time, official duties, the long distance to the coast and for other reasons, are not here. Five faces I look for and do not see, five that we shall never see again, five who have gone away from us since we met a year ago in St. Paul. I think it is the first duty of your president this year in beginning this Annual Congress to mention those five names. You all know that any eulogy on any one of them would consume more time than we have tonight, but I feel it my duty to mention the fact that these five have gone from us—T. J. Davis, Superintendent of the State Farm, Lassiter, Virginia; R. B. Chadwick, of Edmonton, Alberta, Canada; Judge Felipe Diaz Alum, of Havana, Cuba; Dr. Samuel G. Smith, of St. Paul, our president last year; and the peerless leader, the man who in our ranks left no successor, Dr. Charles R. Henderson of Chicago.

PRESIDENT'S ANNUAL ADDRESS.**PRISON REFORM.**

JOSEPH P. BYERS, PHILADELPHIA, PENNSYLVANIA.

Prison Reform, to most of us, is something that concerns the improvement of our penal and correctional institutions. It is this, to be sure, but it is much more. It embraces the criminal, who he is, what he is, why he is. It covers the questions of our laws and their enforcement, and penalties and their adjustment to the offender. It goes even further than this; for the final object of Prison Reform is to prevent crime, stop the production of criminals, and abolish prisons.

With this conception of Prison Reform we see that, in a broad sense, it begins before we reach the prisons and the need for the infliction of penalties for law violation. That the American Prison Association recognizes the truth of this is evidenced by the fact that, year after year at its annual meetings, the subject of crime prevention has been discussed no less than questions of prison administration and criminal law. The Association has not neglected the consideration of those influences and agencies in our social life, whether environmental or hereditary or what not, that contribute to discourage or prevent criminal conduct.

But we are only beginning to understand the necessity of attacking the causes of crime. These lie outside our penal and correctional institutions. Just as boils on the body are indications of disorder in the blood, so are these institutions evidence, symptoms, indications of disease in the body politic. Our prisons and reformatories are, if you please, hospitals for the care and treatment of those who through criminal conduct have shown symptoms of criminal character.

We may pride ourselves, and not without justification, that many of those afflicted have been restored by the course of treatment they have received in these institutions, and that they are, in this sense, truly hospitals. But these people are largely the result of social conditions—poor homes, vicious surroundings, bad hered-

ity, immoral influences or defective schooling—and in so far as we restrict our efforts to their cure we confine ourselves very largely to the treatment of symptoms.

Symptoms are good only for diagnosis. If we stop here we shall never effect a cure. Crime will never be cured nor law-breaking controlled by all the prisons and reformatories we can build. We shall have to go on increasing the number and variety of these institutions—we shall have to go on passing new laws and devising new penalties—as long as we shut our eyes to the causes that make laws and penalties and institutions necessary. We must not entertain the notion that these walled establishments are a sort of prophylactic with prevention its chief virtue. This is not true. It would not be true even though they realized in their organization and management the fondest hopes of the most zealous advocates of the so-called “honor” and “self-government” systems, together with the highest development of the prison schools, industrial training and religious influences.

No; the causes of crime exist, for the most part, outside these institutions and it is on the outside that we must apply the real remedies.

The value of a machine is judged by its product. Defective product indicates either defects in the machine or in material. Study of the product reveals which is at fault. It is often quite as much worth while to examine the perfect product in order to learn why it did not go wrong in passing through the machine as the defective to learn why it did. So it is with the social machine. Some of its product seems to be good. Some of it is unquestionably bad. Why is it? What qualities do the good possess that enable them to come through the machine apparently sound and whole, while others come through mutilated and deformed? Does the machine occasionally “slip a cog” or is the poor product due to inherent defects in the material? It is important for us to know. A study of all the product will tell us. But we will probably learn most and quickest from studying the defective output, assuming now that some of it is quite satisfactory. It is here that our prisons and reformatories can be of greatest service. This is their part of the work. They must not cease to be institutions of heal-

ing, hospitals in every sense of the word; but this need not interfere with a larger purpose. Indeed, it is because they are hospitals that they must also become laboratories—human laboratories—where not only each prisoner shall be studied and a course of treatment outlined for him that shall check his tendencies for wrongdoing and encourage and strengthen him in rightdoing to the end that good character be established in him, but laboratories where the nature, source and development of anti-social acts and those who commit them shall be studied and out of which shall come remedial and immunizing agencies for the cure and prevention of crime.

There is already under way a movement in this direction. In some of our institutions and in connection with the work of some of our courts, specialists, psychologists, psychiatrists, physicians and others are at work. They are already telling us that a considerable percentage of persons arrested for crime and delinquency are so feeble in mind as to lack the power to resist those influences or tendencies that culminate in criminal acts. They are not agreed as to what the percentage is, though many of them do not hesitate to place it so high as to leave little hope even for those of us who up to now have successfully escaped their examination. But that the number of this class is sufficiently large to demand and repay special consideration the work of these scientists and the experience of prison officials alike confirm. While not agreed on the quantity they are agreed on the fact.

We know, therefore, that the crime question is complicated by the element of feeble-mindedness. These various authorities tell us that it constitutes from fifteen to seventy per cent. of the criminal and delinquent class. Goddard places it between twenty-five and fifty per cent. Until they can tell us more accurately and therefore more convincingly we should exercise considerable conservatism both in thought and statement regarding the matter. In accepting *the fact* we must not seem to adopt the *theory* that *all* criminal acts are due to mental defect. The garment of immunity with which we cover the feeble-minded must have no surplusage under which any *responsible* criminal can hide. But I will certainly not be accused of over-statement when I take twelve per cent.

as representing the number of really feeble-minded folk in our criminal and delinquent population.

Is this number large enough and important enough to affect the whole crime problem? Can we solve this twelve per cent. and in so doing simplify the solution of the whole? If we are unable to take the whole citadel of crime at once isn't there a place where we can make a breach in the walls as a preliminary to its final capture? And is not the weakest spot, the one easiest to demolish, that portion of the works defended by the feeble-minded? How strong is the citadel? How many defenders has it where the breach is to be made?

Well, the stronghold of crime in the United States is defended by a standing army of not less than 400,000. The latest returns concerning this army are from the United States Census of 1910, but we can rest assured that in the intervening five years it has not suffered any material loss. On the first day of January of that year there were 136,000 persons in custody in prisons, reformatories, jails and workhouses. During that year there were 493,000 commitments to the same institutions, but included in these were an unknown number of recommitments of the same person. If we allow a little more than one-third of the total number for possible recommitments (and this is a liberal allowance) and add the remaining 314,000 to the number in the institutions on the first day of the year we shall have 450,000 individuals confined in these institutions during the year. But I want to be still more conservative and from these I deduct the odd fifty thousand. Moreover I shall not consider the large number of criminals at large and not on record during the year.

I have thus reduced to its lowest terms this standing criminal army and it numbers 400,000. This army is kept recruited up to the mark. It is twelve per cent. feeble-minded—that means 48,000 defenders of that portion of the defenses where we can most surely and quickly and successfully launch an attack. Is it not worth while to deplete the enemy's resources by one-twelfth? Especially if these can be captured and placed in concentration camps without any effort on our part except that required to prepare the camps and lead the captives into them? Is it not easier and cheaper to

do this than to pay the heavy toll they exact from our present method of treating them?

These people are so feeble-minded that they are unable to resist or escape from the doing of those things we call unlawful. The best means we have yet devised for protection against their acts, their misdeeds due to their inherent inability to measure up to the standard we have set both for them and ourselves, is to sentence them to live behind walls and bars for a season. Then we turn them loose again. And then they relapse. And then we wonder what is wrong with our institutions and our courts, our probation and parole work!

Several things are wrong. First of all the truly feeble-minded person should not be sentenced to imprisonment. He should be committed to permanent custody: not in a prison but in a place where he will have opportunity to live, to the highest degree possible, a life of usefulness and happiness adjusted to the level of his natural ability. Our laws must be made to provide for the legal and permanent guardianship by the State of any and all persons whose mental equipment is so defective as to make them a menace to themselves or others. That guardianship should be exercised either in or out of institutions.

There is also something to be said on this score from another standpoint. The presence of these irresponsibles in our prisons and reformatories does them and us not only no good, but actual harm. As a class, the higher types of which are so often unrecognized, they are pliant and easy tools for vicious and unscrupulous prisoners. To subject these irresponsibles to the at best rigorous life of imprisonment is unjust to them and unworthy of an enlightened people. To submit them to the test of "Honor System" or to apply to them the principle of "Self-Government" tends inevitably to discredit the one and make ridiculous the other. When we have eliminated the feeble-minded from our prisons and have segregated also that other group made up of the habitually immoral and chronic offenders, we may well apply to the remainder all of the features of the Honor and Self-Government systems to which they are capable of responding.

But there is still another point not to be lost sight of and that

is as to the amount of crime these feeble-minded criminals and delinquents commit. We can reach some approximation of this from the records of the State of Massachusetts. In 1914 23,303 individuals were under sentence in that State for crime. More than half of these, 13,437, (57.6 per cent.) were repeaters, *recidivists*, with an average number of convictions to their credit of seven and a half. Out of a total number of recorded sentences of 110,816 these repeaters had received 100,950. In other words *57.6 per cent. of the convicted criminals were guilty of 91 per cent. of the crime.*

Now if we had the wisdom to discern at an early period in their careers just who were doomed to join the recidivist class we could diminish crime on the basis of the Massachusetts figures nine-tenths by permanently segregating them before they repeated their first offense. But, unfortunately, we have not yet reached the point where we are willing to sentence people on the basis of *known criminal character*. We wait until the offense is committed and then undertake to prove the act when we might easily in many cases have prevented the act by proving character. Incidentally the sequestration of *known* criminals and those who combine criminal tendencies with weakened intellects, would make safer the lives of citizens of high place and power whose services the country can ill afford to lose. Criminal conduct from criminal character is a safe prediction.

The police and detective forces of every city in the country could today, if directed to do so, gather in many people of known criminal character. They ought to do it. These people should be given full opportunity to show legitimate source of livelihood. No honest man would have any difficulty in doing so. If, failing in this, they should be committed to workhouses and there kept long enough to give them the habit of good wholesome work, there would be, beyond any question, a very marked reduction in crime.

There is, however, a certain proportion of the recidivists that we might easily isolate and place in the permanent custody of the State not on the score of criminal character but because they are feeble-minded. In the light of investigations already made there seems no question but that a large per cent. of these chronic offenders are true defective-delinquents. I think I shall still be

admittedly conservative if I put this per cent. at twenty. In Massachusetts we find the recidivists furnishing 57.6 per cent. of sentenced prisoners and 91 per cent. of all sentences for crime. On the basis of one-fifth (20 per cent.) of this class being feeble-minded we find that this one-fifth (2,687) constitutes 11.5 per cent. of the whole number of sentenced prisoners and that this comparatively small number is responsible for 18.2 per cent. of detected and punished crime. The Massachusetts percentages cut in half, for the sake of conservatism, and applied to the whole country on the basis of 400,000 criminals, indicates over 115,000 recidivists and among the latter more than 23,000 feeble-minded offenders.

Science is telling us how to detect and experience is teaching us how to care for the feeble-minded. Shall we who have some share of responsibility for guiding the public mind aright on these matters fail to emphasize the intimate relationship between crime and mental deficiency and the opportunity, yes, the duty, and the necessity of providing permanently for these misguided and stumbling weaklings? The cost will be infinitely less than the price we will pay for our neglect.

When we have done this we can with better spirit and larger hope of success tackle some of the other intimate prison problems. To some of these the public mind is being diverted with dangerous enthusiasm. In many quarters it is being led to believe that a new theory or system of penology has been discovered; that among prisoners for crime there is a high sense of honor and an ability for righteous self-government that have not heretofore been recognized; that the solution of the crime question is largely a matter of catering to the self-interest of prisoners through what is called the "Honor System" or the "Self-Government System".

Let us have the honor system by all means. I believe in it. It has stood the test, inside as well as outside penal institutions. Contrary to the belief of some, men inside prisons were stimulated to honorable conduct before the comparatively recent advertisement of it as "a system". We need to encourage the system on both sides of the prison walls. If it is good for prisoners it is good for the rest of us who "but for the grace of God" might have been.

Trusting a man does not make him honorable. Believing in him

does not make him honorable. But if he trusts you, believes in *you*, he will probably be loyal to you and what he conceives to be *your* interest, especially if it runs parallel with his own. So far his loyalty seems to be closely akin to honor. But if outside the circle of your influence and your interests he elects to cheat or steal or is given to uncleanness or lawlessness, would you call him honorable? If so, I have misconceived the meaning of the word.

Honor, in its true sense, is something that dominates the whole man. It causes him to sacrifice self-interest, comfort, pleasure, happiness. For *honor* men die.

Let us realize now that with the great majority of prisoners, possibly with the great majority of all of us, honor has a meaning synonymous with "self-interest". Self-interest plus a modicum of honor may make it possible to safely employ prisoners in the open, on roads, in camps, on farms. If honor can be stimulated through self-interest let us utilize the one to build up the other. If one or both in combination make men safe outside prison walls, then let us send them and keep them outside, as long as we can give them men's work to do. But let us not forget that these two influences, self-interest and honor, singly or together, are not strong enough to keep *all* prisoners safe from falling before the larger opportunities and temptations of the outside world. The honor system is good. It has come to stay. But it can be *overdone* to its own hurt by overzealous advocates, of whom there are many *outside* the prisons. The development of the system should be left to experienced prison officials. And these officials should not permit themselves to be stampeded by a public clamor engineered by a comparatively few enthusiastic theorists.

Self-government by all means. We are a self-governing people. If the average citizen was not self-governing we would not have a republic.

Governments, like people, progress or retrograde; they do not stand still.

Excellence of a government is determined by the average worth of its citizens.

Water does not rise higher than its source unless it is forced by some power outside itself.

The average worth of a law violator is less than that of a law-abiding citizen. I use the word worth in its sense of "mental and moral excellence." Therefore, any form of self-government that they, the law violators, may organize is on a lower plane than one dominated by those who are law-abiding.

The population of our prisons is made up of law violators.

Therefore, any desirable form of government in a prison must be organized, directed, supervised and controlled by a superior, not an inferior, power, a power exterior to the prisoner body. It must be the force applied from below that causes the water to ascend above its natural level—and it must be a regulated and continuous force, else there will be great instability. This force in prison government must be, ought to be, by law is, the warden and his legally chosen assistants.

So I contend that in this sense the prison can not become a republic. It must be a monarchy; it ought to be a benevolent one. If its inmates were capable of decent and lawful self-government they would not be there. Of course they must be taught self-control and all the other virtues. But this teaching must be an actual force, constantly applied by those who have the right, the wisdom, the power and the duty to apply it. This force does not reside in the prisoner body.

The conviction that one may have that he is perfectly capable of governing himself, tends to make him intolerant of attempted control or direction by others. Also true of governments. Likewise true of prisoners.

Government of the prison, by the prisoners, for the prisoners, will not teach lawless men respect for lawfully constituted authority. It does encourage in them a spirit of contempt for prison officers who represent law and order. These officers are your representatives and mine. If they, or any of them, are unfit, we ought to replace them. But as long as law has in these officers its legal and proper representatives, we, who have our share of responsibility for the making of the laws, should see to it that the thing they represent shall not be brought into contempt.

There is an almost general unrest in our penal and reformatory institutions, due largely to innovations in their management intro-

duced by prison officials, sometimes on their own initiative, more often at the urging of those without practical experience but imbued with the zeal of the reformer. That the public mind is being disturbed on the subject of Prison Reform is in itself a wholesome indication. But the public is not reminded, as it ought to be, of those men and women who inside and outside of our prisons and reformatories during the past fifty and more years planned and labored and sacrificed for the advancement of prison science. The list is a long one. On it are the names of E. C. Wines, Gardiner Tufts, F. B. Sanborn, Z. R. Brockway, Amos Pilsbury, F. H. Wines, Ruth-erford B. Hayes, R. Brinkerhoff, Albert G. Byers, E. S. Wright, J. L. Milligan, Ellen C. Johnson, Samuel J. Barrows, Chas. R. Henderson, S. G. Smith and many others still in the work. These men and women brought to their work rare ability and ripe experience both as administrators and as students of men. They devoted their lives to the development of better conditions in the prisons and a kindlier attitude toward ex-prisoners on the part of the public. They never abandoned their high ideals nor lost their sweet optimism. Can it be that they missed the true essence of Prison Reform? I cannot believe it. If the prison of today is better than the prison of yesterday, if the prisoner of today has better treatment than the prisoner of yesterday, if today he is the object of more intelligent public interest and solicitude than formerly, it is because these men and women and their *confreres* lived and labored and sacrificed. We should have a care lest in the remodeling of their work—and to deny the need of remodeling is to deny human progress—we do not pull the whole thing down about our ears.

Forty-five years ago almost to a day the first Prison Reform Congress held in the United States convened in the city of Cincinnati. That Congress, in a so-called Declaration of Principles, laid the foundation for prison reform not only in this but in all civilized countries of the world. Those principles, viewed in the light of the achievements and mistakes of the past forty-five years, are as sound today as they were in 1870. They have been the basis for all the progress we have made and they still furnish our program for the future.

It is worth while, particularly at this time when social reforms

of every character are being urged by more or less responsible individuals and societies all over the land, for us to examine these foundations and the superstructure that has been erected upon them.

The Declaration begins by stating that "The supreme aim of Prison Discipline is the reformation of prisoners." Note the conjunction of the words "discipline" and "reformation". The word discipline is used, not in a punitive sense but in its broadest interpretation, and this means discipline of body, of mind, and of will. This discipline must be exercised in a way and under conditions that will induce reformation. Reformation means to make better. What does the prisoner need to make him better? Just what you and I need. To begin with, he needs the wholesome discipline of work, hard work, or at least the sort of work at which he can work hard *every day*. He needs fresh air, light, wholesome food. He needs the influence of example of men whose ideals are higher than his own. He needs to learn that the way of the transgressor is hard. He needs to learn the wisdom of self-control; to recognize that for the violation of law there is a certain undesirable consequence which we call penalty. Penalty is punishment, and because of this we cannot disassociate the idea of punishment from any institution or condition in which one remains or is made to conform against one's will. Therefore it is the *will* that must be reformed until it shall reach the point where one wills to do what is right. To this end all that I have mentioned as to the needs of the prisoner must be made to contribute. We need to emphasize this at a time when the public mind is being disturbed by political demagogues and amateur reformers, the one foisting upon the prisons inexperienced and untrained officials, the other impractical ideas.

The Declaration then proceeds to lay down the principles by which the reformation of prisoners is to be attained. These include:

The progressive classification of prisoners based on character.
Rewards, more than punishment, as essential to every good prison system.

Indeterminate sentences, to be limited only by satisfactory proof of reformation.

Education as a vital force in reformation, and hence the need of the prison school.

Labor as the basis of all reformatory discipline.

The abolition of contract labor as prejudicial to discipline, finance and reformation.

Graded prisons, to include separate provision for the incorrigible, the untried, younger criminals, and for women.

The uselessness of repeated short sentences for minor criminals.

Preventive institutions for juvenile delinquents, including truant homes and industrial schools.

More systematic and comprehensive methods for the saving of discharged prisoners.

Indemnification for wrongful imprisonment.

The duty of society to improve conditions that beget and foster crime.

The requirement from parents of full or partial support of their delinquent children in reformatory institutions.

The construction and management of *all* prisons by the State as essential to a complete system of reformatory establishments with some central authority "to guide, control, unify, and vitalize the whole."

Religion, of all reformatory agencies, as first in importance.

On the foundation of these principles that I have thus hurriedly reviewed, what have we really builded in the intervening forty-five years?

We have established in practically all of the States special institutions for juvenile delinquents; in one-third of them reformatories for young men; and *in five* separate prisons or reformatories for women.

We have pretty generally recognized, and in most of the Northern States adopted indeterminate sentence and parole laws. These laws operate to protect and save discharged prisoners. They also necessitate the adoption of grading systems that stimulate to good conduct through the bestowal of privileges and rewards. But no

system can offer rewards for good conduct without withholding them for bad conduct. This in itself means discipline and punishment.

We are still experimenting with prison labor with some fair hope that in the State Use Plan we have found a rational substitute for that half-brother of the Lease System, Contract Labor. The utilization of the labor of prisoners for the production of goods to be consumed by the State, and in road building, farming, forestry and other conservation work, has passed the experimental stage. We have proven beyond any question that prisoners may be safely and profitably employed outside the prison walls; but this is not true of *all* prisoners and we must have a care lest, in the application of this new idea, we grow over-sanguine. A prisoner who has not begun to feel "the restraining influences of liberty" is not fit to leave the prison either for the open work of the road, farm and forest, or upon parole. But if, as seems likely, from forty to sixty per cent. of the inmates of our state prisons and reformatories can, at some stage in their imprisonment, be worked outside these institutions, then the problem of the employment of the remainder within the walls becomes comparatively easy of solution. This system of employment is bringing about a recognition of the right of the prisoner to have some share in the product of his labor, especially when he has wife, children, or parents dependent upon him for support. This right, or, if it is not a right, then this privilege has already been recognized by legislation or practice in a number of States. Possibly we may eventually go one step further and require him, from his earnings, to make restitution either to the State or individuals for the wrong committed by him.

We have not yet recognized the principle of indemnification by the State for wrongful imprisonment.

Our prison school systems, with a few notable exceptions, are systems largely in name only.

We have gone all too slow in requiring parents to pay for the whole or partial support of their delinquent children.

We are still guilty of the folly of punishing chronic misdemeanants by repeated short sentences.

It is needless for me to dwell upon the efforts now being made by society to improve "conditions that beget and foster crime." Numberless influences are at work. Among these are recreation centers, public playgrounds, better home conditions, special and vocational schools, laws regulating or prohibiting the sale of drugs and liquors, and a growing sense of civic responsibility.

How far have we gone in organizing a real prison system? Not far! Our prisons and reformatories and jails and workhouses are administered as separate and independent units, with a consequent utter lack of system. All of these institutions should be placed under the supervision and direction of the State, to the end that out of the present chaotic condition a real and efficient state penal and correctional system may be established. An initial step will be the abolition of our present county jail system and the substitution therefor of houses of detention in each county for all persons held for trial or detained as witnesses; with a system of county or district workhouses to which all persons sentenced to imprisonment for minor crimes and misdemeanors shall be committed. With these we must have laws that shall, *first*, make compulsory the absolute separation, each from the other, of all persons during the time they are held in such houses of detention; *second*, that shall provide for indefinite sentences to such workhouses, with provision for parole, for all persons convicted and sentenced for misdemeanors or minor crimes, and *third*, that shall provide for the setting aside of a reasonable portion of the earnings of the prisoner for the use of his or her dependent family, or as an aid to rehabilitation at the time of parole, or for restitution to those who suffered by his criminal conduct. The State, as the lawmaking power, must itself assume the custody and direct the treatment of those who are charged with the violation of its laws. Therefore, in the construction and management of such houses of detention and workhouses, as well as of county jails, the State should have a controlling voice.

Our county jails have been indicted, tried, and found guilty as unsanitary, immoral, medieval, crime breeders. The English language has been exhausted in describing their pernicious and vicious influence, and the truth of all that has been said we are forced to

admit. They are pouring the virus of crime, of immorality and disease into our social system. We can abolish these institutions by the establishment of workhouses for convicted misdemeanants and of houses of detention for the untried.

The control of crime leads toward the final abolition of all prisons; failure to control leads toward the abolition of law. There are but the two roads. We have chosen the first. This may seem ideal! It is. And the realization of this ideal very, very remote! It is. But ideals are necessary antecedents to progress and the higher the ideal the higher we climb. If we fall short of perfection let it not be because we failed to aim at it.

We have tried, are still trying, to eliminate crime by legislative enactment; but laws, human laws, do not in themselves make men moral. That is something that works from within; the process, however, is greatly encouraged and expedited by external influences and many of these are at work. But we have been spending our efforts very largely to improve the physical and mental. Let us hope that we shall finally reach up and into the moral and spiritual, which is the final step in all our work, to *re-create* in man not only the image but the attributes of his Maker.

THE ANNUAL SERMON.

Sunday Morning, November 10.

REV. FRANCIS J. VAN HORN, D. D., PASTOR FIRST CONGREGATIONAL
CHURCH, OAKLAND, CALIFORNIA.

"If therefore the Son shall make you free, ye shall be free indeed."—
John 8:36.

We find in the midst of Jesus' long discussion with the Jews this great statement: "If therefore the Son shall make you free, ye shall be free indeed." Jesus is here saying there is a difference, that not all of those are free that seem to be free; neither are all of those bound who seem to be bound; that there are those outside of bondage who might well be confined and that there are those confined within prison walls, who in spirit are free. There is a difference, Jesus is saying. There is a real freedom and a false freedom. There are those who think they are free or those who are persuaded they are free, who are, nevertheless, born slaves, shackled and bound, and there are those who are bound and shackled who in spirit roam far abroad in perfect freedom. He tells us the basis of all real freedom is the freedom of the spirit—spiritual freedom. It is, as he phrases it, the freedom and liberty of the children of God, and there is no other, he declares. He puts his declaration in flat contrast and contradiction with those who are discussing and disputing with him. They say, "We are free". He says, once and again, "You are not free". "You are the servants of sin and therefore the slaves of sin". "You are not free; you are not even Abraham's seed, though you may be in the flesh, for you do not do the deeds of Abraham. You are not the children of God because you do not show His spirit, and there is no freedom except the freedom of the spirit and there is no liberty except the liberty of the children of God."

This morning, in the presence of those who have spent their lives in the study of the problems of the prisoner, I will not undertake to discuss any of those problems. Let me rather stick to my task as a preacher of the gospel; and yet I may do it using some of

the phraseology common to you, for the commonest figure of speech in the Word is touching the study of sin, in which most people find themselves prisoners, not prisoners of fate nor prisoners of hope. The Bible says, "They are prisoners of their own self-will." Jesus says, the will of the evil one, the purpose of the evil one—it is your will to do that which makes you slaves and prisoners. Not fate nor hope but your own self-will. And His great appeal, then, is to that regal and royal thing within every one which makes them first of all the children of God; that they shall be set free with that liberty, because they will hear His voice and accept that which is freely offered to them.

Let me suggest to you, then, what is the program of Jesus in the deliverance of men, for He came as the great deliverer. He came to set men free, so the prophet had said, long, long centuries before, and coming thus as the exemplar of freedom and the great liberator himself, He made out a definite program. There was a way and there is a way. There was only one right way and there is only one right way to set men free. Shall we see, then, what the steps are in this program for deliverance? We will phrase it under the adjective of newness, and yet what He had to say was old. It had always been in the world and the newness of the gospel or of any message must be, if it is a rightful and worthy newness, that it simply emphasizes the old with a fitness to the times in which it is proclaimed; and so Jesus came as with a new message—an old message. And yet as He came, sounding it out, it was so new they could hardly understand it and were not fitted to receive it—this old, new message! That they were the children of God; that they were one great brotherhood; that One was their father and they were to go out with the liberty of the children of God to great accomplishment in His work. That is to say, His message was a positive message, not a negative one. The world had been accustomed to a negative reasoning of its conception of God. God was one against whom people must be warned lest they do certain things that would bring upon them penalty and punishment and all the phrasing of all the relationship of God has been under the terms of law and he was speaking to a company who were familiar with law. The old Mosaic law had been a law of prohibition.

There was here a very positive command that they were to do this or that, but for the most part they were not to do this or that. And God had been set before them sometimes as a judge to be feared, sometimes as a king to be served, sometimes as a tyrant to be abhorred and feared, and all the time they were told not to do this. Some one has pictured the parent all too truly, who said, go out and see what the children are doing and tell them not to do it—that was the conception of God in the ancient world, lest they sin against Him. Jesus came with a great positive message. He did not say—he hardly used the words—you are not to do this, but he was saying always and forevermore, you are to do this; you are to love God; you are to love one another and in the fulness of this love you are to go out and do a multitude of things; you are to fulfill all your highest hopes and ambitions; you are to fulfill yourself; you are to become what redeemed men might become. You are to do and to do and yet again to do, and in your doing you shall be blest. Is there not something very modern about this? Is this not still the way and the only way of deliverance from bondage? Are we not to go on thinking with this new emphasis and say life is not chiefly prohibition and commands against life; life is a great positive thing. It is one great, big “do”. We come to you saying that there are a multitude of things you can not do but there is an infinite multitude of things you are permitted to do, and called upon to do, and summoned to do, by all that is fine and splendid in you and in God’s world about you. Shall we ever begin to deliver men except we shall awaken in them something that shall respond to this call to be and become and do? Jesus’ method is still the only method, positive.

Then He came to them with a new motive. That is, it was a new phrasing of the old motive. They were to do all these things and become much greater, for being is always so much greater than doing because of the motive of love. They were to love God. He was not a judge to be feared, sentencing them to hard kinds of penalties and punishment. He was not a tyrant to be hated and avoided. He was a father to be loved and they were to do all these things as in His sight, not fearful lest He discover them but glad that He might look upon them as He saw them doing well. They

were to love God and they were to love men, because they also were, like themselves, the children of God, and they were to discover in each other the resemblance. It might be faint but it was there, the likeness of God Himself. This new motive of love was to be awakened. How? Do you remember Jesus' method? He came Himself and in Him was fulfilled the old promise and prophecy of One who should say, "Lo, I come". He does not send one, but it is "I speak to you, I give you a revelation. Lo, I come". "To do thy will is my delight, oh, God". That is, He was himself to be the revelation of this new motive. He was life incarnate so He could say this fearlessly, without explanation. He could say, "He that hath seen me hath seen the Father". "I am life incarnate; I am love incarnate; see it in myself". This is the great appeal in the New Testament. Behold me and see God, what God is like, what He is doing, what God would have you do and become; see it in myself. We call that the incarnation, one of the great theological doctrines, and we stumble over it a great deal and discuss it. Yet how simple a thing it is. The incarnation was not a fact in history, once accomplished. The incarnation is a fact in history always being fulfilled. It was not something done in and for and through Jesus of Nazareth. It is something being done in and through and for and by a multitude of people—the incarnation of truth, of love, the incarnation of every quality that is godlike. It is going on in the world now, and there is no other way of bringing in that perfect love of God. There is no other way of beginning in the heart of any man the conception of what God is except as he sees it. That is why Jesus said, "He that hath seen me hath seen the Father". Do you see Jesus' way? It was personal. It was sacrificial. And there is no other way. Still men must come, humble men, men who confess their own unworthiness and are perfectly aware of their own shortcomings—come as incarnation of the Divine. Let me be bold enough to say as incarnate of God Himself.

It was William T. Stead, once while lying in prison, who declared he had a vision of one who came to him and said some strange words, "Be a Christ". It shocked him. He said: "What does it mean? I, William Stead, be a Christ"? And presently it came to him that the words meant exactly what they said, that he, William Stead, in the heart of London, was to be a Christ in

his place. There is no other way. The incarnation is the eternal fact. We are to be to our fellow-men a Christ. We are to go out with a very humble boldness and say, "Behold me; the things that God would do, I am trying to do; behold them and see what God is like". Is it a rash thing? It is. But there is no other way of doing the will of God, except as we do the will of God and shall become in a little measure godlike and say, "He that hath seen me hath seen the Father". Is there any other way to deliver men, to set them free from prison and free from bondage except to give ourselves as children of God and say, Behold what it is like to be a child of God? I have not gone far into the way but I have gone a little way toward my Father's house and I find His way the path of blessedness and peace. Come with me, my brother. This is what God is. That was Jesus' way. There is no other way. And so I have spoken to you of the new message, positive, a personal fulfillment. And a new motive of love that casteth out fear, and a new method that is personal and sacrificial.

What is to result? There is to result this, first of all, a new man. Jesus did not speak very much about reformation. He spoke a great deal about regeneration, and yet the two things are not in contradiction to each other. They are not opposed. They are not really the same thing. That a man shall be reformed means he shall be made over into a different likeness. That he shall be regenerated means he shall become a new man in Christ Jesus, and Jesus did not speak about reformation very much. He did some, and he suggested methods of reformation, but he seemed rather to pass the methods of reformation by because he had something better.

You remember He used one illustration: It does not pay to put new wine into old wine skins. You can do it. You can take the old wine skin and not throw it away if you like. It may seem to you wasteful and better to try and save it and use it, but He said upon the whole that does not pay because the probability is that a new wine with its wonderful expansive power will simply burst the old wine skin and you will have double loss. The better way is to have a new wine skin and that will expand with the expansive force put within it and you shall have saving all around.

And Jesus was wonderfully wise in His method of saying, do

not put new wine into an old wine skin; do not try to put the new saving, expansive, explosive power of the gospel into an old, old man. It is easier, shorter, better, to make a new man out of him.

He used the illustration yet again: You have an old garment. You can sew a patch of new cloth upon it if you think best, but it would be really nicer, better, to have a whole new garment if you would, because if you sew the new upon the old, presently when the strain and stress of wear comes, the new will stand it but the old will not, and you will have it disintegrating and it will be waste in the end. If you can have a whole new garment instead of a patch, why not have it?

Jesus' philosophy is based upon having the whole new garment, man absolutely made new in His image. That is reformation, but this is also regeneration. Do we not need to recognize this in our redemptive work? Sometimes I have been at gatherings of prison associations and similar gatherings where there has been drawn an unfortunate distinction between the two, as though the redemptive work belonged to the church and the reformatory work belonged to the institution. Not so. The institution that is truly reformatory, is it not also regenerative? And the church, as it is regenerative, is it not also reformatory? And are not the two working along the same line and toward the same end, and do we not need to remember that while there seems to be two different methods there is only one method of saving a man and getting at the man within the outer man—that first of all there must be awakened in him some new response to that which is without. By some new method we must, if possible—and it is always possible, is it not—find something within a man that shall in a new fashion respond to the appeal, to catch his attention, to awaken his desire. Is this not the first and most difficult thing? I am sure it is.

The hardest thing for the preacher is to catch the attention of men. The hardest thing for any man who proclaims the gospel in any fashion is to beget in the man to whom he speaks a little response until his attention is awakened, until he says, here is something that is worth while, that interests me and calls out something that is within me. When that is done we have found our way to the heart of man. As Jesus says, here is a great positive world

to which God invites you, in which God has placed you, in which God will meet you and will help you Himself to fulfill yourself, and if the most besodden man behind prison walls or the most indifferent man to the gospel outside shall but once catch the vision of that realm in which he may live as a child of God, set free, with all the liberty of the Son of God, then we have begun that man's reformation or regeneration, call it which you will. We have begun it; God has begun it. When we have touched the regal spring of action within the man, when he says I would be like that and I will endeavor towards that, he is set on the way that leads to his Father's house and it will be within him a regeneration, the beginning of a new man from within, and it will be without, in his life, reformation. He will be the reformed and remade man by and by upon which the world will look with wonder and say, "The miracle, the miracle".

And again we have a distinction. Sometimes we used to say such and such a man was a miracle of grace, and again we have looked at such a man made over, in the process of what we call reformation, and say, what a miracle of human patience and kindness and love and effort this is. And both are true. Every new man in Christ Jesus, every new life that comes out to be a blessing to the community rather than a menace is a wonder of patient service or a miracle of redemptive grace, or it may be both.

Sometimes we say "miracles of grace". Men seem to have had little to do with it. But what about the men of whom you know more than I, men who have been made over by our modern prison methods, for they have a redemptive power. Men who have been made over by the love of the man at the head of a great institution; by another redeemed man, convict like himself; men who have come to believe that society is not against them but for them. There is a great human heart that will help the man who is down, and by the exercise of patience and a new revealing of that incarnation in the lives of men and women about him he has been made over; and we say the reformatory processes have had their way and this is their fruitage. We do not think of that as a miracle; but is it not? For the miracle is not the way in which the thing was done but that which was the result of it. The wonder

is the new man, no longer a menace but a blessing. The wonder and the miracle, for he is both, is the new man in Christ Jesus, no longer hating but loving his Heavenly Father.

Do we not need to set out before ourselves, in whatever exigency of life we may be, in the pew as well as in the pulpit, evermore, definitely and constantly that the end of all of our service is not praying, is not worshiping in a church or in hiring a man to stand up and preach a redemptive message, not hiring a man to be the head of a prison or reformatory, but it is ours to look for the man who shall be, by and by, the redeemed brother, who is now our brother in bonds. That is the end of all redemptive and reformatory service, this new man.

So I repeat it once more, the business of the Christian world, of the living world, the business of every man who would do good, is to have one new society of the "Come, let's". Do you remember the story of old, of the man who said he was glad because he had found the way to God's house and all the liberty and freedom of it? He said, "I was glad when they said, let us come to the house of God". They did not say, go. They said, "Let us". We need to reorganize and have a multitude of people join this new society of the "Come, let's". Under it we will take our brother by the hand and say, come, let us fulfill ourselves as His children.

Last of all, the result is a new world—the prophet said, "wherein dwelleth righteousness". The prophet saw it dimly; the seer saw it more clearly; and we everyday, workaday people know it has to come, a new social order, not competitive, not cruel, but a new social order wherein will dwell righteousness, and the expression of it shall be brotherhood everywhere. It is coming because it must come. It is coming in these days when more people are hurting and killing each other than ever before. It is coming because it has to come, a new social order of righteousness which shall be peace and joy and love and God's spirit over all.

"And I saw a new heaven and a new earth", said one of old. Did you see it? The new heaven arching over and God shining through? And a new earth wherein men with shining faces look into the faces of each other and look up into the face of God and are not afraid. Did you see it, the new heaven and the new earth? May God give us wisdom.

MASS MEETING.

Sunday Afternoon, October 10.

The mass meeting Sunday afternoon was called to order at 3:15 o'clock in the theater of the Civic Auditorium by President Byers.

Rev. Leslie Burwell, D. D., pastor of the First Methodist Episcopal Church of Alameda, pronounced the invocation.

President Byers: We are hearing much about the church in social work. It has seemed to us the church has been a long, long time waking up to its duty in dealing with social questions in a practical way. The first speaker exemplifies to a very, very marked degree that new trend, or at least a very much accelerated trend on the part of the church, or some of the churches, in social work. I have very great pleasure in introducing Archdeacon B. M. Spurr of Moundsville, West Virginia.

ADDRESS.

ARCHDEACON B. M. SPURR, MOUNDSVILLE, W. VA.

I am very glad, indeed, that you had some one to sing first, for it helps any speaker very much to find out whether an audience is human or not. Some audiences leave the speaker in doubt for a great while as to whether they are stone images, subjects of the "Gardens of the Gods", or members of the human family; but I am glad to see you are real people, and express a real enthusiasm, which shows you appreciate things.

Then I was glad that the last song sung was the "Ninety and Nine". It seems especially appropriate to a meeting of the Prison Congress, whose chief end is not the punishment of a prisoner, but rather his salvation. The singer sang beautifully from the very beginning of the hymn, but, fine as the singing was, the message it told is the finest in the world. As long as there was one on the outside that should come in, the Master would not rest. If the Christian church, or the man who claims to have Christ in his heart, thoroughly believed that, there would not be any prisons,

there would be no need of prison reform, for, to recognize a brother or fellow-man in a sinner, and to seek his restoration as though he belonged to us, would largely eliminate crime. For that, you know, would presuppose that every condition of a child's life would be taken into account, so as to render his environments of such a character as to develop the best within him.

I suppose we all agree that neither God, the devil, nor man has any use for a "*stingy man*," unless God can convert him, the devil pervert him, or man use him. There are few worse things that can be said of a man than that he is stingy, and I think that many stingy men belong to church and the various fraternities in order to assure attention after death which they would never obtain by any actual kindly work they did during their lives.

In contrast to the stingy man is the big-hearted man, and every social worker will readily agree that if there is any going-to-the-devil at all, it is the big-hearted man who goes. Not that all big-hearted men go thus to the discard, but that if there is any going, he is the one elected to go. Stingy, narrow or mean men have too much regard for their own cuticle to stray far from the path of respectability. The thought of a bad headache tomorrow has a great deal to do with the sobriety today of many of these men.

But in either event, let the man be stingy or liberal, there should be no hesitation for us in seeking to restore him to his proper path when once he has gone astray.

When I first came to this country my introduction to prison life was from the outside. I found three or four children on the east of the prison walls playing as best they could, while shivering with cold and clothed but in rags. I asked the children's names, and what their parents did, and where they lived, and the boy said, "Oh, Dad's over there in prison. They sent him for life, and mother washes and does things to keep us together. We hain't got many clothes, and sometimes we hain't got much bread, but mother does the best she can, and we tries to help her, but it hain't much we can do". I then had the first inkling that the man behind the bars was not the chief sufferer, but one really whose care and keep were safeguarded whilst the innocent ones were left to suffer, struggle or die. So that the man within and his loved ones

without created in me a desire to do what I could to ameliorate the conditions of the one within and fill his life with a brighter hope, that, working successfully, he might have a chance to earn money and send it to those without, that their suffering should not be so great. To work successfully with a prisoner it is necessary absolutely to recognize that he is a man just the same on the inside as he was on the outside, only his passions and appetites are accentuated by his abnormal condition; and that these passions and appetites which were born with him and are part of an ordained plan of his life have to be repressed entirely and blotted out as though they were not. Restrictions which society had taught him to observe whilst free, and to enjoy because he was free, become iron chains when he becomes a convict and wears the garb of his disgrace. So, in visiting him in prison, you must regard him as a fellow-man; give no evidence of any particular or special knowledge of the reason of his being there; count it as though he were not there; and make your visit just as if you were making a social call on the outside. You don't need to talk much, if he knows you are really interested in him. He quickly discerns your real attitude towards him, and if to him your interest is genuine he will tell you the burden of his soul at once. In nine cases out of ten he will relate to you just how the crime occurred; he will give you real reasons why it should be palliated; and often he will open up his heart's grief because of the wife, or children, or mother, or sweetheart, or friends on the outside who need him sorely. He will talk for an hour, or maybe more, as you gently prod him from time to time with a question to lead him on to tell more, and when the hour is past, or maybe an hour and a half, you, as visitor, have not spoken probably ten words, and, rising, to depart, you find the man's hand upon your shoulder, and you will hear the words, as I have time and again: "My, Doctor, but I am glad you came. Come again. It does me lots of good". That's one thing that I think the prisoners need very much—a best friend in human form, that they might the better realize the best friend in the Divine.

In thus thinking of the prisoner, you naturally think of the condition in which he lives as a ward of the State. Look on the outside of ninety per cent. of the prisons in the United States,

and the style of architecture which you behold tells you of the Dark Ages at once; that we have gone back for centuries, and construct today just the kind of buildings for holding prisoners they did in the Middle Ages.

The next thing. Go inside the prison and see the steel bars and the steel on every side to hold the prisoner in safety, and if you know history at all you understand that the beginning of those bars to hold a convict will give you the date when judges and juries believed that a criminal was possessed of the devil, and just as they tried to keep the devil from doing harm by putting him behind the bars, so they placed their fallen man. These two things give you the old attitude of all the commonwealths towards the men in the clutches of the law. Therefore you can not be surprised if men thus treated become the greater demons, instead of more respectable men. Punishment, not reformation, was the old idea, and it is from this view, contrasted with the view which is held at the present day, that we get most of our hope for the ultimate reformation of what is known as the criminal class. But there is no time to go farther into that part of the subject.

In our own prison the men are employed in making shirts, pants, petticoats, whips, brooms and various other articles. The State receives for the employment of each man seventy-five cents a day. In addition to this amount, the men who have finished the amount of work allotted to them may continue at their bench or machine and do extra work, for which they receive extra compensation, according to the rate paid the State. We have men sending out to their families from one to twenty-five dollars a month. Every cent that is thus sent out to a dependent one must, of necessity, help to keep the respect of those dependent ones, and at least save them from that vicious life of being dependent on the county. At least, it would eke out what is lacking in the earning ability of the dependent ones, and give them more courage, because of the real touch with the man on the inside. The men thus employed within the prison in our own State pay for every kind of service rendered by every kind of an official; for all the food, clothing, heat, light and warmth; and for every and all kinds of renewal of any structure within the prison walls. Mark you! They pay

for that with their own earnings, and in addition to paying for all this they earn from twenty-five to fifty thousand dollars a year, which, in all honesty, should be turned over to the prisoners, that it might be sent to their dependent ones, or stored up by the prisoner himself against the day of his release. But instead of this fifty thousand dollars going to the prisoners, it is turned over to the Board of Public Works in our State, to be used for the conducting of other public institutions. This may be legal, but morally it is a steal. To do work merely to occupy time is a degradation. It is more of a degradation for a hundred men to move a pile of dirt from one part of a prison farm to another part, merely to occupy their time, because the law says that these same prisoners shall no longer do contract labor, than it is for these selfsame men to be let out by the State by contract to any set of men who desire to profit by them. It has always seemed to me a matter of absolute certainty that men could be found to run our prisons who could honestly employ every working hour of the men and make that employment profitable—that is, to pay the full expenses of the men under sentence, and to leave a real profit for these same men to send to their dependent ones on the outside. And then there is this aspect of the case, that the thought of working for real money, instead of “doing time”, puts the man in an absolutely new relation to his prison sentence, and also to the prison authorities. He feels that he is recognized not simply as a criminal; a creature to do as they command; one who by his crime has robbed himself of every right, and who must, of necessity, submit to the will of the wardens or guards. To have this feeling, which thousands of the prisoners have, is to make them morbid and bitter and revengeful, and blocks the door of the heart to every effort for their reformation. My contention is, that the law has a perfect right to take away a man's liberty, if that man can not use his liberty aright; or if his use of liberty means the damage of another man's property or person. But that it has no right to put a man in prison and simply feed and clothe him. But that in every case the State should give honest employment to every man in some trade or industry within the penitentiary walls; that that occupation should be remunerative; that the expense of the keep of every man in the

prison should be deducted from the amount of money received from the profit of their toil; and that the rest of the proceeds should be divided equally between every able-bodied working man in prison. When that day comes it will show a different set of men turned loose. You will not have so many men who will become "repeaters", or who will go back to take their revenge on one individual, or on society at large. And then it will mean that the wife and children, the father or mother, or any of those dependent on the convict, will be relieved from that dreadful disgrace of having to appeal to an overseer of the poor, or to become known as people who are "on the county".

And when you citizens look at this matter purely from an economic point of view, leaving out Christ and every consideration of charity, you will find that such a plan, though probably more expensive than your present method of running your penal institutions, will have more than an equal saving in the cost of keeping dependents on the outside.

President Byers: There is a noticeable trend right now from state and other universities into our prisons and reformatories and from our reformatories into the universities.

The next speaker, some two years ago, occupied a chair in DePauw University, in Indiana. At the Indiana Reformatory there seemed to be a demand for a man of his attainments as assistant superintendent. So this professor was transferred from DePauw University to the Indiana Reformatory. Then it happened that Arizona, looking around for a president for its State University, lifted this man out of the Reformatory and took him to Tucson, where he now is president of the State University of Arizona.

We are glad to have him here and I am pleased to introduce to you Professor R. B. von KleinSmid, President of the State University of Arizona.

NATURE'S DISINHERITED.

R. B. VON KLEINSMID, PRESIDENT UNIVERSITY OF ARIZONA, TUCSON.

A student in the field of criminology is forced to wonder at times whether there is any other field in which it is possible for

him to encounter so great a diversity of opinion or such extreme and opposing views. It is to be said, however, that conclusions heretofore reached have come largely from empirical sources alone rather than from scientific investigations and that the extreme positions held are those dictated by the angles from which penal and correctional problems have been approached. In general these conclusions may be grouped as four in number.

The first is that, to a greater or less extent, every man is guilty of crimes—the detection, conviction and sentence of some is avoided only because of concomitant circumstances. Were the eye of the law trained as carefully upon the free as upon the others who are compelled to pay the penalty of their misdeeds they too must suffer the disgrace and the punishment meted out to other offenders. In other words, all have committed and do commit crimes, and it is very largely a matter of chance as to which ones reap the just harvest of their anti-social seed sowing. Out of this theory has grown the belief that, by no means, are all of our criminals incarcerated in institutions, nor indeed our worst ones, but that there are many, as Tarde points out, who even go so far as to make a profession of the criminal life, operating with a cunning which, with rare exceptions, evades detection and so escapes the penalty.

The second belief on the part of certain of those who give attention to the problem of crime is that all criminals are vicious men, and consequently it is the duty of society to hunt them out wherever they may be found in order to mete out to them that degree of punishment appointed by legislation for the particular crime committed. Out of the attitude of this faith have grown the high wall, the whipping post and the dungeon together with all means of discipline and punishment which humiliate and degrade, in the conviction that the vicious must be cowed and made afraid to vent their nefarious temper upon a society strong enough and determined enough to cope with them and to demand of them an eye for an eye or a tooth for a tooth.

Another view held particularly by those of sociological interests is that transgressors of the law would be very few in number, if any, except for the peculiar and contaminating social environ-

ment. Those of this belief hold that society is to blame directly for the existence of the so-called criminal class because she neglects to conduct her economic and social affairs so as to surround all of her members with those influences which make for good alone.

Still a fourth conclusion is to the effect that all criminals are defectives and that no man of normal mental and physical status commits a crime. On the grounds of this belief there have sprung up among us, in the last few years, a number of serious and, more recently, organized attempts to investigate the field of crime for the purpose of determining the degree of abnormality of those who have been convicted and incarcerated.

While the truth is not to be found exclusively in the theory held by any one of these particular groups, it is not at all unlikely that there is a considerable amount of soundness in the arguments of all; in fact, may it not be the case when investigations will have continued for a greater length of time and more exhaustive study will have contributed more generously to the science of criminology, that it will be discovered that there is a large element of identity in the theories advanced and that these various conclusions are not antagonistic to so great a degree as supposed? Until quite recently the science of criminology was regarded as a legal science exclusively. Now there are indications that there are many who believe it to be a purely social science. On the contrary, if there be a science of criminology—which some deny—there are those who insist that it has its origin in the sciences of medicine and psychology. The legal science emphasizes the responsibility of the present criminal; the social science, the responsibility of society from which he came; the medico-psychological science, the responsibility of his ancestors not less than that of the individual criminal himself. May it not be that these different positions, too, have come about only because of varying approaches to the same truth? If we grant that the individual offender is vicious and should be punished according to the law, we still have to account for the fact that this man is vicious and some other members of society are not. If we grant that the environment from which he came was conducive to criminal activity, we still have to account for the fact that many others from the same environment do not become offend-

era. Grant a vicious attitude in his case and carelessness and neglect on the part of society to create a proper environment for him and we are confronted with the fact that it was this particular individual who committed the crime who doubtless carries within himself the cause of his misdeeds. However, just as surely as we discover from a clinical study of the individual that the probable cause of his own downfall rests in his constitutional inferiority, we shall find it necessary to lay the blame for his condition in large part at the door of short-sighted society and her institutions. From that standpoint, then, of the clinical research laboratory let us see what situation presents itself.

One has not labored long among those convicted of crime before he is strongly impressed with the fact that he is dealing with beings of retrograde type—beings who fall appreciably below the recognized standard of normality, and who, in a very large percentage of cases, bear about in their bodies the marks of this denegeracy. In this matter, however, one must needs exercise the greatest care to avoid the common error of concluding that the presence of one or more characteristics, usually accepted as stigmata of degeneracy, is proof positive that the subject is subnormal: the Darwin ear, the Morel ear or the ear marked with the entire absence of the lobulus, the malformed palate, polydactylism or hypertrichosis—any of these may be found in the particular individual in whom the closest analysis will fail to find any basis for a classification below the normal; and yet the number of these stigmata and their various combinations so frequently found among those convicted is sufficient to cause their presence to be regarded as a usual accompaniment of criminal activity. Assymetry of the face; microcephaly or macrocephaly, dental deformities, strabismus, micropthalmia, pigmentary retinitis, albinism, syndactylism, misplaced or malformed limbs, flat feet, hypospadias and hermaphrodism—these and many other signs of degeneracy are constantly met with.

We do not seek to establish a causative relation here but merely to observe the accompaniment of stigmata with crime. This of itself is of the utmost importance. On the other hand, so frequent and so serious are the various physical and physiological abnormalities and defects as to challenge our earnest efforts to discover this

closer relationship. Phimosis, enlarged tonsils, adenoids, bad teeth, defective vision, poorly developed chest, stooping shoulders, pulmonary lesions, valvular heart lesions and a serious nervous condition brought on by eye trouble of one sort or another; "a sub-normal temperature, associated with an accelerated pulse and respiration," as noted by Dr. Sleyster, "perversions of the sexual instinct, uncontrolled desire for liquors, migraine, disorders of the nervous system, insensibility to pain, defects of speech and reduced physiological tension," as pointed out by Dr. Bowers; impotency and sterility; while by no means is this list to be accepted in toto as naming positive evidences of degeneracy, all of these conditions are bound to assert themselves among either the primary or secondary causes of crime.

From the philosophical standpoint it may be that we are not ready to admit of anything more than a mere parallelism between mind and matter, yet it must be admitted that a seriously defective body could not express rightly a mind of even supernormal capabilities. "Aye, there's the rub." As though not sufficiently afflicted with physical and physiological defects, the criminal class are lacking pathetically in mental ability, and it is in an investigation along this line that, in my thinking, we arrive at the real fundamental, efficient cause of the greater proportion of crime.

It has been recognized for some time by those who have had to do in any intimate capacity with the criminal class that, as a whole, they are of a low mental order, and yet only within the last two years have a sufficient number of laboratories been operating to furnish such data as would support a rather widespread belief by the results of scientific investigation. In this work, however, there is much yet to be desired. The tests applied in the various clinics are to be themselves more thoroughly tested, corrected and adapted through a longer period of time and with a greater number of subjects. Too few scientists well trained for the work are in the field; and there is lacking at present a sufficiently strong public sentiment to demand a breaking away from tradition in the handling of law violators, and to insist upon the adoption of methods prescribed by the scientific diagnosis of the case. Nevertheless the returns to date are indicative and of very valuable significance.

The New York State Reformatory for Women at Bedford Hills reports that thirty-seven per cent. of its inmates are defective. Dr. Frank L. Christian, of the Reformatory at Elmira, reports forty-two per cent. defective. Results from our own laboratory work in the Indiana State Reformatory at Jeffersonville show quite fifty per cent. to be subnormal. Returns from reliable sources at work among juvenile delinquents show a percentage as high or higher. There is little question that when terminology and definition, standards and methods of procedure are agreed upon among the various laboratories, the variation of results will fall within a reasonably small margin of difference. All of this suggests that in the past we have disregarded quite entirely the peculiar conditions of what will likely prove to be at least one half of the population of our penal and correctional institutions. The situation belies the very purpose for which these institutions are founded and maintained. Moreover, were this condition of these offenders known before trial, conviction and sentence, it is quite certain that the necessity of different disposition of the cases would have been recognized.

The range and degree of defectiveness afford an interesting study. We have those of positive psychosis—the insane, including alcoholics, drug fiends, epileptics and feeble-minded—imbeciles, morons, and those of but slight abnormality. As a class, of course, all these reveal to the clinician a long list of symptoms and reactions, which would have led an alienist at once under any circumstances and surroundings to a correct diagnosis of their condition. While this group, representing approximately fifty per cent. of the population of our prisons and reformatories, is disposed of comparatively easy, the remaining inmates, sharing with the subnormal many of the mental and physical stigmata peculiar to the criminal class, form a group which furnishes a problem of the greatest complexity. Anomalies of intellect, emotion and will are everywhere presenting themselves for analysis. Dr. Harold W. Wright, in a recent number of the *Journal of the American Medical Association*, calls attention to the fact that all offenders are characterized by one or more of the following attributes: “Exaggerated suggestibility, exaggerated egotism, emotional instability, a lack of altruistic or unselfish sense, a lack of the power of sustained energy

—that is, abnormal nervous fatigue, a tendency to the easy disintegration of consciousness which permits the brutal or inferior qualities of the subconscious mind easily to become dominant when temptation occurs and to be ungoverned by the critical quality of the curious mind; even when the critical function is sufficiently aroused, the power of direction by the will is in abeyance." The offender is marked, too, by instability and eccentricity, is given to self pity, moroseness, fault finding and hatred, and is therefore resentful and retaliative; he is lacking in the ethical sense and consequently is presumptuous; he is deplorably deficient in judgment. All or any of those characteristics may be possessed in such a degree as to make it practically impossible for the unfortunate so to deport himself as to satisfy the conditions of good citizenship and healthy social relationships.

Responsibility for crime in the manifestly subnormal is quite out of the question; these will always be mere children and require a guardianship; the perpetuity of their kind among us is quite entirely a matter of eugenics; but who shall say that the majority of those not classified as defectives by present day tests would not be able to find factual defense of their crime in their own infirmities? Indeed, there are those who choose to call such "borderland cases," believing that as all feeble-minded persons are potential criminals, so large numbers, at least, of those criminals usually regarded as normal require only a peculiar series and setting of stimuli to reveal such serious defects as to prove the existence of positive subnormality, and often clear-cut psychoses.

If asked the question, "Why did you commit the crime, for which you are paying the penalty?" and pushed for an answer beyond that born of the memory of the mere pleasure or gratification in the reward of the act, many must honestly answer, "I really don't know; I guess I couldn't help it." Either some instinctive tendency of low order, undeveloped and uncontrolled, pushed on the unfortunate individual to criminal reaction, or some specific mental function, too weak to do its office work or perverted in the nature of its activity, compelled an inability to resist temptation when it offered.

Crime, however, is more than a mere accompaniment of defect-

ive mind. It is the natural outgrowth of faulty mental processes. This doubtless accounts for the fact that punishment can not cure the criminal, nor even deter others from committing crimes. It is foolish to insist that punishment deters the criminal even from repeating his crimes. Surely there is no fact more clearly proven to the criminologist than this one. Institutions of punishment only serve to augment the anti-social attitude of the criminal and to return him to society even determined to perpetuate more daring crimes than he had known before. Statistics from investigators the world over call our attention to the fact that crime among us is increasing at a very rapid rate. Treatment, not punishment, is what is needed; intelligent, sympathetic and scientific treatment under the best conditions and by the best advised scientists that can be secured for the work. This is not a call for the introduction of sentimentality; there are indications in many quarters that we have too much of the maudlin already. Warden Francis insists that the greatest menace to our progress in institution affairs today is "the long-haired man and the short-haired woman", and he is right.

Instead of indulging in expressions of sentimental regard for the unfortunate offenders, society should rather give herself to the most careful investigation of those tolerated and even encouraged practices which everywhere are shown to be those agencies that contribute to the perpetuity and to the multiplication of the criminal class.

President Byers: The next speaker needs no introduction—Mrs. Maud Ballington Booth.

ADDRESS.

MRS. MAUD BALLINGTON BOOTH, NEW YORK CITY.

In rising to speak, I owe an apology to our beloved president and also to this audience for having appeared on the scene late. I have, however, the only valid excuse—I was in prison—and you can not always get out as quickly as you get in. I feel that it is a disadvantage for me to appear late on this platform, for there have been other speakers and I do not know what they said. I may contradict some statements which I did not hear, or I may on

the other hand, in speaking, duplicate something that has already been said to you. But I tell you one thing, in coming to this audience I come with my heart full, and I wish, instead of sitting here and listening to what we have to say, you could have sat on the platform in that vast dining-room at San Quentin and looked into the faces of that eager, earnest audience that thrilled us to our very souls.

It is the personal contact that tells. It is so easy to sit in our laboratories and analyze. It is so easy to sit in our studies and consider the statistics of crime. It is so easy to listen to the conclusions which other minds have reached, some correct and some false. And it is so easy to get by heart the theory and go our way thinking we know it all, but it is only by personal contact with the subject that we find our inspiration. If you could have seen those bright and earnest faces, if you could have felt the thrill that comes from that vast audience, you would have felt, as I do, not only thankfulness to God, but that there is hope; hope while there is life. You would also have sensed something which I can feel today, oh, so keenly, and that is the wondrous change which through these recent years has come, since practical prison reform is by degrees lifting the clouds and blowing them away, bringing to these men that chance of expansion and growth and inspiration and training and education which they lacked in the past and which they need so sorely.

Over twenty years ago the first prison audience I ever met was in San Quentin, and as I looked down upon that crowd of hopeless, despairing, brutalized men, in that dark, little chapel, I thought I should never be able to speak to them. My voice was choked with tears; my heart was filled with anguish. I had never been in prison before. That which I saw, showed me something of the great need and great despair and great hopelessness of these, our fellow-men, and as I stepped out of that prison into the world's freedom on the threshold of San Quentin, twenty years ago, I dedicated my life forever to our country's prisoners. As I looked at the sunshine glimmering on the waters of the bay and away off on the great purple mountains, I knew the world would never again look the same to me; that I could never see the sunshine without seeing

with it the shadow of the prison bars; that I could never talk to an audience of free men without seeing behind them that shadowy audience of men in the stripes waiting for hope, a chance, a touch, that would bring to them the only inspiration that can break off man's shackles and make him free, the touch Divine. Thank God when we are up against our difficulties, when we think we face the impossible, when we look down into the chasm, when we have to step back and say there is no hope, then we reach the point where we realize "with God all things are possible," and know in our innermost souls the day of miracles has not passed.

Four days ago I stood on the rim of that great, wondrous chasm, the Grand Canyon. It is too great to talk about. You can not come away and talk of it and enthuse about it and gush over it, because it is too great, too gigantic. I saw there something that strengthened my heart. Standing close to the rim in the early morning light I looked down into the wondrous depths where the little houses down at the bottom are so tiny they look like a splotch of white and the path is so far away you can not see any individual who may be walking on it. Later in the day I saw through a glass men crawling with difficult, labored steps up the trail, the trail which other men had made at mighty cost and effort—hours and hours of toil, as they went through the dangerous passes and over the narrow ledges, and when they reached the bottom, to get back again meant climbing and climbing and struggling. They were like so many flies against a wall. Some had faltered and failed and they had to send down mules and guides and carry them back. But listen! As I stood in the morning light I saw a flock of tiny birds start out. They were not afraid of the chasm. They spread their little wings and as I watched, so frail and tiny and so far away were they that they looked like little white butterflies. They flew from one peak to another. They did not care whether it was seven feet or seven thousand feet; they did not care whether the rocks were jagged and the depths appalling, for God had given them wings. So it seems to me there is a difference in this world. There is the man who has only the man-made schemes and thoughts. He is struggling along the track that others have puzzled out through their mathematics or their sciences. He sees the difficul-

ties and his own hard, laborious way. But there are those who have wings, who face the difficulties and look not down the chasm but look up at the sunshine. They fear not rain nor storms, heighth nor depth. God has given them that other thing which is not born in the heart of man, but is the gift of God—*faith*. If we have that we can span the chasms; if we have faith we can turn from the darkness of the night and say "the dawn will come"; if we have faith we can rise with wings, not in our own might, but with the wings that God gives; the soul of man can say, "God can help me when I have failed." The blessed touch will open blind eyes, will make the lame to walk, the deaf to hear and the very dead to rise to life again. God is in this world of ours! And if any man or woman in this great land needs faith, it is the man or woman who is in charge of these institutions where we are trying to care for those with whom society, the home and the church have made so sad and disastrous a failure. There is some little grain of good, some chord that can be reached and touched, something worth while, in every one of these men and women for whom we are working if we can but believe it.

Years ago, just when our Volunteer work had started, and the Volunteer Prison League had been inaugurated in Sing Sing, I went up there to spend a Christmas in the prison. I had realized how hard and lonely the day was. The guards went off for a holiday and the men, all day long, from early morning until late at night, were locked in their cells. The warden told me if I would come to the prison he would let me spend the day in the cell house. I had one difficulty. It was my little son, just a little, blue-eyed baby then. He was a Christmas baby, and I hated to be away from him on Christmas. So I solved the difficulty by taking him to prison with me for the first time. I went into the cell house and visited every one of the 1,050 cells and talked individually to every man there. Meanwhile my little son was in the warden's house and the boys who were working there saw to it that he had a good time. He played in the kitchen, investigated the dumb-waiter, and had a wonderful time generally. When we came away he had come to the conclusion that Sing Sing was not at all a bad place to spend Christmas in. We boarded the train; it was crowded. I took my

seat and, for the moment, there seemed no seat for my little son. Then a gentleman who sat in front of me moved over his baggage and my little son soon found his way beside him. I was not surprised to find the man was soon telling him stories, and from what I could hear they were stories that came from all over the world. He told him how he had traveled on many big boats and trains, into this country and that until my little son's face beamed with interest. Then, when the gentleman got through and stopped for breath, my little boy looked up and said, "Have you ever been to Sing Sing?" The gentleman turned and looked at him in horror and surprise. "No, no, of course I have not." My son's face dropped. But the gentleman said, "I will tell you where I have been, I have been in the prisons of Russia"; and he began to describe them. My boy cheered up and, when he got through, he laid his hand on the man's arm and said with a smile, "Then I think you must be one of my mother's dear boys." I have often wondered what this gentleman thought of that child who loved Sing Sing, and who the mother could be that claimed him as one of her dear boys. That was long ago. That little boy has grown up and is interested in prison work himself.

But do you know, all through the years that is one of the questions I have been asking of every public audience. That is the question this prison association is asking people here; that is the question that we bring to the world today—have you ever been there? No, I do not mean as a sightseer. If you only want to go in that spirit, have respect for your fellow-man and stay out. But have you been there in practical sympathy? Have you been there in prayer? Have you been there with the realization that our wardens and our chaplains and our doctors will toil in vain unless society rises up to help them after the man goes out? The warden can bring his wise discipline to bear; the chaplain can bring his message of friendly instruction; the doctor can take the scientific side and help those who are partial wrecks; the prison can do its work, and I believe in many instances it has done it splendidly, and I know the faithful, earnest, loving work that has been put into this great field, not by the people on the outside who do most of the talking, but by wardens, doctors, chaplains and men on the inside,

some of whom do not talk at all but are working at it and helping solve these problems. But let me tell you this, when they send these men out, if society stands refusing help, if she repeats again the story of his shame and, with folded arms, says, "I know he will go back again, of course he will not make good," then the work within prison walls is going to be defeated. Society's failure is what has filled our prisons. If on the outside there had been a hand stretched out understandingly, we should not have had as much difficulty to contend with on the inside.

Have you ever been to Sing Sing, to San Quentin, to Joliet, to Columbus, or I care not what prison? If not, I will ask you, why not? I mean in that other sense. Have you ever been there as a criminal to serve your term? Has your heart broken in a prison cell? Have you faced the difficulties of the future? You cry out, "Oh, no, I have never been there!" Why not? Because of your own virtue and honor; because the measurements of your skull are all right; because you can stand the wonderful tests they can bring to bear on the feeble-minded? Why is your brother man over there in San Quentin, and why are you sitting here free to go home to supper and free to go to church tonight, and thank God for your freedom? It is because of the mother who watched over you and cared for you, the father who disciplined you, when these souls were undisciplined; the church that guided you. You and I have been hedged in with blessings and if some of us could remember far enough back in our childhood we could remember what holy terrors we were until our fathers and mothers and teachers made something of us. We had and can thank God for what was denied to many of these, our brethren.

It is so easy for the world to elevate its head and look down with disdain and say, "I thank God I am not like this man." And yet, deep down in the human soul, the whole human family is very much alike, and sometimes pride and selfishness and other crimes which the law does not punish are as sinful in the eyes of God as these things for which we can take these men and women and put them in prison. In the name of God who has so blessed us, in the name of Christ whose footsteps we follow, I call on you, on your

sympathy and tenderness, to fulfill His command, so that some day He may say, "I was sick and in prison and ye came unto Me."

You will have a great opportunity in this conference to hear from the lips of men who are doing the work and the women who are in touch with the problem, that from which they have gathered hope and courage and blessed results.

I leave with you the message that day by day the great white field gets whiter to the harvest, and with the realization that every soul saved, every crooked man made straight, every unclean soul purified, counts; we are sending men forth to become a blessing where they have been a curse.

Benediction by Rev. Edgar F. Gee, rector of St. Peter's Episcopal Church.

MEMORIAL SERVICE.

Civic Auditorium of Oakland, Sunday Afternoon, October 10, 5:00 o'Clock.

President Byers: Our association has been exceedingly blessed in that our membership has been so infrequently depleted by death. It is not often we have been called upon to hold memorial services.

At a meeting of the Executive Committee, held in May, a committee was appointed to prepare a memorial on Dr. Charles R. Henderson and Rev. Samuel G. Smith. These two ex-Presidents it is fitting we should honor by this service, but in doing so we should not neglect mention of those others, who in a more modest way, contributed to this great work:

T. J. Davis, Superintendent State Farm, Lassiter, Va. Born Gloucester County, Va., February 17, 1847. Died Lassiter, Va., July 7, 1915.

Judge Felipe Diaz Alum, Havana, Cuba. Born October 20, 1850. Died February 11, 1915.

R. B. Chadwick, Superintendent Delinquent and Dependent Children, Edmonton, Alberta, Canada. Born Hamilton, Canada, July 15, 1879. Died Edmonton, Canada, June 25, 1915.

SAMUEL GEORGE SMITH.

Samuel George Smith, student, teacher, preacher, politician, statesman, educator, theologian, historian, sociologist, penologist, philosopher and philanthropist, in the midst of labors that made him loved and known throughout the world, passed quickly from the activity of his busy days into the serene realization of eternity at his home in St. Paul, Minnesota, on March 25th, A. D. 1915.

He was president of the American Prison Association for the year 1914, and presided at its last session held in St. Paul.

-Scarcely a field of effort for human betterment in the world but has felt his molding touch. His works live after him, and will carry his name and fame to the gratitude of coming generations.

In grateful remembrance of his kindly but impelling personality, his untiring zeal in the promotion of the objects of the Prison Association, and to bring the inspiring lessons of his life and spirit to comfort us in our loss, and stimulate us and others in the future, we present the record of his noble life.

He was born in the parsonage of a Methodist minister, to the Reverend William and Harriet Johnson Smith, at Birmingham, England, March 7, 1852. While he was yet a child, his parents came to America, and his father was assigned a missionary post in Iowa. At the age of fourteen, young Smith had pursued the means of education afforded him with such zest that he passed with honors the examination for teachers' license, although his youth prevented the issuance of the license. At the age of seventeen he was principal of the public school at Jessup, Iowa, and at twenty was principal of the Albion, Iowa, Academy. He attended for a time the Upper Iowa University, and was graduated at Cornell College in 1872. Syracuse University later conferred on him the degree of Master of Arts and Doctor of Philosophy. He entered the itinerancy of the Methodist Episcopal Church and served pastorates at Osage and Decorah, Iowa. In 1879 he was called to the pastorate of the First Methodist Episcopal Church of St. Paul. Here, with the exception of two years, when he served as Presiding Elder of the St. Paul District, he served until he founded the People's Church of St. Paul in 1888. This church was in truth a realization of its name—a church of the people. It became quickly a strong, endowed institution, with Dr. Smith its vigorous, dynamic center. In 1902 its splendid church edifice was destroyed by fire, but was rebuilt at once at a cost of \$100,000, and by the tireless energy and zeal of its preacher an endowment fund of \$100,000 was raised, the income of which insures its perpetuity.

A zealous and unfettered truth-seeker Dr. Smith was his life long, but his zest was chiefly for those truths that affect the happiness of men, and for him to think and see was to act. The broad and liberal platform of the People's Church gave splendid oppor-

tunity for the circulation of his message to men and human needs, but his powerful enthusiasms were carried by his great energy and force of character into practical lines of realization in broader fields. His sympathies led him first to the study of the political, social and moral problems of the day, and promptly he set about the business of social reform and reconstruction. Soon after his arrival in St. Paul, he led in an aggressive campaign for effective control of the liquor traffic, and was chiefly instrumental in the drafting of the liquor regulations that are still upon the statutes of Minnesota. His activities as a social worker were not bounded by the charitable and benevolent enterprises of his own church. He became a potent factor in behalf of social and moral welfare in his own city, throughout the State, and beyond. In 1899 he was appointed by the Governor of Minnesota a member of the Minnesota State Board of Charities and Corrections, with which work, either as an active member or in close affiliation, he was associated until his death. In 1890, the University of Minnesota called him to organize the Department of Sociology and Anthropology. He remained at the head of this department, giving lectures and conducting classes until granted leave of absence a few months before his passing. This department was in many respects a leader in its field.

In 1892, Dr. Smith correlated and brought into system the charities of St. Paul and organized the Associated Charities, later known as the United Charities. He continued as president of this organization until 1912. In 1892, as a member of the State Commission, appointed by the Governor of Minnesota, he made a trip to Europe to inspect penal and charitable institutions. His survey of such institutions throughout Europe he continued on his many trips abroad. His success in getting first-hand and accurate information upon all subjects was one of his marked characteristics. His sermons, lectures and public addresses were replete with fresh and authentic knowledge from all fields of human effort.

For three years, he was a member of the Public School Board of St. Paul, and was for many years an active member of its Library Board.

For four years, 1897 to 1902, he was a member of the Board of Regents of the State University of Minnesota.

He was a pioneer in the campaign against tuberculosis, and was identified with various organizations engaged in that work.

For many years, he was active in the work of the National Conference of Charities and Correction and served as its president for the year 1905. For five years he was a member of the State Board of Visitors of Minnesota.

In 1910, when Minnesota adopted the "Indeterminate Sentence Act," and created a Board of Parole, Dr. Smith was appointed the citizen member of that board, took a large part in the organization of its work, and continued in its active service to the time of his death.

In 1911, he was a delegate to the First Universal Races Congress at London. Usually his trips abroad were improved for many errands. In this year, besides active participation in the Races Congress, he delivered a number of addresses, finished his survey of jails and prisons in England and the Continent, and put in his spare mornings and evenings in research in the British Museum of ancient manuscripts bearing upon disputed points of early Christian history and doctrine, supplemental to and for scientific accuracy in literary and religious work that never ceased to be his delight.

The subject of eugenics attracted him, and with characteristic directness, he began investigation of the subject. He was delegate of the United States to the International Eugenics Congress, held in London in July, 1912, and made one of the principal addresses before that body.

His connection with the American Prison Association began in 1892. He attended many of its congresses, and brought to its problems and its work his wide knowledge and broad sympathy, his eloquent voice and pen, and the wise and practical direction of his efficient counsel and administration. Those who heard, or have read, his address at the congress in St. Paul on the theme, "State Control of Conduct," will not soon forget the wealth of information, the vigor and pungency of expression, the clarity of logic and the wisdom of its conclusions.

He was a wide traveler; no less than twenty journeys across the Atlantic he made, and he penetrated into all parts of the Old World. Much of his time he spent in study at the universities and seats of culture, but investigation into social and economic conditions of men was his chief quest. He was distinctly a lover of mankind, and nothing human was despised by him. The fame of his eloquence was known throughout the world, and the light of truth that was in him he proclaimed with beauty and power to many thousands. The collection of his lectures, public addresses and sermons will fill many volumes and cover a wide range of subjects. He made many contributions to the periodical literature of the United States and Europe, and found time to write a number of books. In 1911 he wrote a text-book, used in schools and colleges all over America, entitled "Social Pathology." Others of his books of wide circulation are, "The Industrial Conflict," "Religion in the Making," "Democracy and the Church," "Retribution and Other Addresses."

He was a lover of children, and possessed the rare power of fascinating entertainment for them. For years, it was his custom to assemble a multitude of children on Christmas Eve and hold them spellbound with his charming weavings of legend and story.

Dr. Smith was twice married. His first wife was Marian Antoinette Barnard of Fayette, Iowa, who died in 1888. In 1890 he married Sadie Nichols of St. Paul, who survives him. He was the father of five children: James W. Smith of Hughesville, Maryland; Samuel G. Smith of Wichita, Kansas; Arthur Smith of Velva, North Dakota; Mrs. D. C. Shepherd, and Miss Harriet Smith of St. Paul.

DR. CHARLES RICHMOND HENDERSON.

One of the great names in the history of the American Prison Association is that of Dr. Charles R. Henderson. His name will always be associated with those of President Rutherford B. Hayes, Dr. E. C. Wines, Rev. Frederick Howard Wines, Rev. Samuel G.

Smith, F. B. Sanborn, Roeliff Brinkerhoff, Rev. A. G. Byers, Richard Vaux, Z. R. Brockway, Edward S. Wright, John L. Milligan, R. W. McClaughry, Joseph Nicholson, and other great leaders in American Prison reform.

Dr. Henderson combined with the theoretical knowledge of the science of penology a practical apprehension of the legislative and administrative problems which are involved in dealing with the criminal. His great heart not only sympathized with the prisoner who suffered from failure of society to recognize and meet his needs, but also with the prison officer who found himself hampered by law, tradition, and system in his efforts to deal humanely with the prison problem.

To his knowledge of the subject, his statesmanship, and his sympathetic understanding of the prison problem in all of its relations, Dr. Henderson added a rare facility in presenting the subject through the written and the spoken word. Those who heard his addresses in the International Prison Congress at Washington in 1910 will never forget the eloquence, wisdom, and feeling with which he spoke to the world's delegates there assembled.

In view of these qualifications it is not surprising that Dr. Henderson became president of the National Conference of Charities and Correction in 1899, president of the National Prison Association in 1902, United States Commissioner on the International Prison Commission in 1909, and president of the International Prison Congress in 1910.

His inaugural address as president of the National Prison Association had as its subject, "The Social Position of the Prison Warden". After a clear analysis of the varied functions of the prison warden, he said:

"The public must be educated to respect the office. The prison warden performs a necessary and difficult work for society; he directs an agency which protects the lives, the bodies, the reputation, the property and the order of all men from the enemies of order. He represents the retributive justice of society in its immediate contact with the offender. He represents the educational forces of society, the humane, the ethical, and the religious institutions of civ-

ilization in the rational effort to civilize and redeem the law-breaker". . . . He "must combine in his own person the qualities of colonel, business manager, teacher, inspirer, judge and legislator. . . . The logic of the social position of warden demands legal prohibition of partisan service."

The volumes of Proceedings of the American Prison Association contain many contributions from Dr. Henderson, always practical, helpful and inspiring. Take, for example, his report on jails in the Proceedings of the Congress at Chicago.

To every one who knew him, Dr. Henderson was an inspiration to righteousness, justice, humanity, and charity. To thousands of the poor, the wretched, and the unfortunate who knew him not, he was a friend and a ministering spirit, and, at last he sacrificed his life in his heroic efforts to provide work for the suffering thousands of unemployed in Chicago in that first dreadful winter of the World's War.

His sudden end seemed to many to be exceedingly sad, but was it not a fitting close to a life of devoted service for humanity?

President Byers: I would like to pay my personal tribute to both Dr. Henderson and Dr. Smith. I came into the American Prison Association many years ago a young man. I was the boy of the Association and, in a way, grew up in it. During all these years my intercourse with its members has been one of my chief joys. It was an unusual privilege to know such men; it was an inspiration and blessing to enjoy their friendship. I can now realize more than ever before what an influence for good, what a help to me individually were Dr. Henderson and Dr. Smith.

Adjourned, 5:30 p. m.

SUNDAY NIGHT, OCTOBER 10.**First Congregational Church.**

**CONSTRUCTIVE WORK IN DEALING WITH DEFECTIVES
AND CRIMINALS.****W. H. WHITTAKER, SUPERINTENDENT DISTRICT OF COLUMBIA WORK-
HOUSE AND REFORMATORY, OCCOQUAN, VIRGINIA.**

In accepting a place on the program of the American Prison Association, I did so with only one object in mind, that was to present to the delegates and friends of the organization the features of the unique institution that has grown up in the woods of Virginia during the past five years, under the direction of a commission appointed by the President some nine years ago for the purpose of developing better methods for the management of and discipline of the criminal population of the District of Columbia.

Upon the report made by this commission, composed of Judge Wendell Stafford, one of the Supreme Court judges of the District, Mr. John Joy Edson, a banker, and one of the foremost citizens of the city of Washington, and Mr. Robert V. La Dow, who was connected with the Attorney-General's office, the commissioners have based their actions in developing this institution.

The management, on this the fifth anniversary, feels that our hopes have been realized and that success has crowned our efforts in the new methods adopted for the handling of criminals of the District of Columbia. We have fully established the fact that men and women can be managed without walls, locks and without bars. We have further demonstrated, if officers and employees are men and women interested in their work and who give to the fellow who is down and out the consideration they should in developing in him the spark of goodness found in the heart of every individual, no matter how low he may have fallen, that vindictive punishment and physical restraints are unnecessary.

The question has often been asked me: How do you keep the prisoners under discipline and have them remain as you do, without walls, locks and bars?

I can only answer, it is imperative that our rule for a square deal always prevails and to have the atmosphere permeated at all times with the thought that, as officers, we intend to give to the prisoner a helping hand in his efforts to make a man of himself. I do not believe in the so-called honor system, nor do I believe in the welfare league composed of prisoners at institutions of this character, for the reason that persons who violate the law and are sentenced are weak and not fit for self-government. The personality of the officers and employes must be the direct force to lead to better things if results for the betterment of the prisoner are ever obtained. Prisoners selected for a welfare league from those who have been convicted cannot possibly have the self-respect and strength of character to impress upon the inmates of the institution what is needed for the moral and mental reformation of such individuals before they are returned to society. We believe that stern discipline must at all times prevail and that the governing head of the institution must be the directing force that makes for good and the rebuilding of character while individuals are confined. We prefer to think that self-pride governs more often than honor in convicted people, and when properly appealed to will, in a measure, be helpful to the management.

What is needed is the Indeterminate Sentence and Parole Law, and with it and this sort of management prevailing for a sufficient length of time, 80 per cent. of all normal subjects will be returned to society an asset rather than a liability. It is generally recognized by authorities, and will be found by statistics that have been compiled by the various institutions of the country, that about 50 per cent. of our criminal population are abnormal and their commitments to such institutions should not be for fixed periods, but rather they should be confined, just as a person sick or insane, and kept for such period of time as those in authority believe necessary, in order for them to be trusted; and if not strong enough for self-government he should be kept at an institution for life, or, if released, the law that prevails in four or five States of the country should be enforced, that of rendering such individual sterile so he may not reproduce his kind, and I recommend that a bill be presented to Congress that will provide for rendering sterile such

subjects as are committed to the penal institutions of the District of Columbia. Especially in cases of rapists, confirmed criminals and degenerates such action should be provided by law.

For the purpose of being practical in this matter, I desire to give to the American Prison Association a word picture of the things that have been accomplished during the past five years. Following this word picture I purpose to throw upon the screen views that will show the character of the construction of our buildings and the activities that enter into the real employment that make of our sentenced people better citizens and effects permanent cure of many of their physical ills.

The first work that was ordered to be done by the commissioners was the construction of a road from the Occoquan Creek, where temporary quarters were first located, up the hill where the permanent quarters were to be built, this location being a distance of one and a quarter miles and 250 feet higher than where we were located on the banks of the creek. With the three hundred prisoners transferred from the old workhouse we began our task by grubbing trees and grading this highway; in sixty days the road was completed to the site selected for the permanent buildings. By December 1, 1910, we had constructed on this site, dining-room, kitchen and dormitories for officers as well as prisoners and on December 8, 1910, we moved the 300 prisoners to the new quarters. The day we transferred them, there were eight inches of snow on the ground and it was quite cold. I mention this because many people who visit us think that we have no really cold weather and therefore are able to keep the people comfortable in the simple quarters we have. The thermometer often records zero weather and ice to the thickness of 10 or 12 inches is often found during the winter months in the Occoquan Creek.

After completing the transfer from the banks of the Occoquan Creek to the new quarters we laid out plans for completing as quickly as possible the physical part of our plant for the safe-keeping, feeding and caring for the 600 male prisoners and 125 female prisoners, this meaning that two separate institutions must be constructed. In addition it was necessary to make plans for the development of the 1,150 acres of land from an agricultural

standpoint, which meant an enormous amount of labor, the cutting of timber, removing the stumps, properly preparing the soil so that the same would produce, and it was also necessary that other work should be provided for the great number of people we had.

After some investigation it was found there was a great quantity of bastard granite stone in the hills, sufficient to justify the building of a stone crushing plant, with a view of furnishing the District of Columbia in its various departments the crushed stone required by them. There was also found in the hills, shale in large quantities, sufficient and of a quality to justify the erection of a brick plant, and after samples of clay had been properly analyzed a brick plant was ordered to be built, so in addition to the construction of the temporary quarters that are now used as permanent buildings, there was built a stone crushing plant as well as a brick plant where the work of crushing stone and the making of brick has been carried on from day to day and year to year until now at our fifth anniversary we have a brick plant with a capacity of 32,000 brick per day and a stone crushing plant with a capacity of 150 cubic yards of crushed stone per day.

Seven hundred acres of the land have been cleared of all timber and three hundred acres are under cultivation. Land that cost the District of Columbia \$18 per acre, the fertility of which was negative so that little could be grown on it at the time it was purchased, has been made to produce 250 bushels of potatoes to the acre and all other kinds of vegetables in proportion.

Two separate and distinct institutions have been completed, one for the male and one for the female population. The buildings for the female department consist of a six-room cottage for the officer in charge of the institution, and an administration building for the other officers who have charge of the department, consisting of twelve sleeping rooms, officers' dining-room and kitchen, two one-story buildings for dormitories, with a capacity of sixty beds each, one for the colored and one for the white prisoners. The dining-room constructed for these has a capacity for feeding 125 inmates. A laundry has been constructed where from 25 to 40 of the women are employed daily doing the laundry work for the male and female departments, as well as for the employes of the

institution. At the present time all this work is done by hand, both the washing and the ironing. Another building known as the sewing-room has been completed where from 15 to 30 women are employed doing the sewing for both institutions. A hospital has been erected for the care of the sick. In addition to the above duties provided to keep the prisoners busy the women look after the chickens, numbering about 200, do the painting and white-washing of the buildings, care for a good-sized garden, trim the lawns and do practically all the work needed in the female department from day to day.

During the four years the female institution has been in operation nearly four thousand women have been committed to us and have been handled, after leaving the Union Station in Washington, by women. Neither locks, cells, bars or handcuffs are used in the administration of this department, and we find it necessary to have but very few discipline reports, which is evidence that the open-air treatment established here for this class of people is far superior to the old-time methods mentioned above. The success we have had in this department we do not attribute to what is known as the honor system, but to an organization where each and every prisoner believes and knows she is carefully watched and looked after and is given a square deal; where she is kept clean and every attention given to her welfare, where she is given properly cooked food, and where the officers do not put themselves on a level with the prisoner, where but few written rules are given for the prisoner to obey; but should one of these rules be violated certain disciplinary measures will be meted out to the violator; where the whole atmosphere is saturated with the idea that it pays to do right. And with this spirit in an institution it is our belief that it is absolutely unnecessary for locks, bars, etc., to prevail.

In the male department we have an administration building of sufficient capacity to take care of all official work, consisting of the superintendent's office, clerk's office, vaults, waiting-room for the public, barber shop, toilet, sleeping-room for the clerk, guard hall, assistant superintendent's office and the office of the superintendent of construction. In addition to these we have twelve rooms that are fireproof and sanitary, built of brick and cement,

used for the confining of such prisoners as refuse to work, or for violation of such rules as are considered serious enough for the inmate to be disciplined by isolation for such period as the administration deems necessary. When a prisoner is so confined he is allowed 8 ounces of bread each twenty-four hours with all the water he wants. This, with the taking away of a meal occasionally for a minor offense constitutes our method of discipling, ordinarily known as punishment.

A rest hall and library, one story, of a capacity for comfortably seating six hundred prisoners has been provided with room for them to promenade from one end of the building to the other. All the prisoners are taken care of in this building after the day's work is done and they remain there until bedtime playing checkers, reading the daily newspapers provided by the management, singing, talking and having access to a library of 4,000 good books provided by the public library in Washington. This building has neither locks nor bars. We have ten paid officers to take care of these six hundred prisoners from 5:00 o'clock in the evening until 7:00 o'clock the next morning. All of these paid officers remain on duty until the prisoners are put to bed at 8:00 o'clock, when five retire and sleep until 12:00 o'clock midnight, then the five who have been on duty are relieved by the first shift taking their places. The six hundred prisoners are taken care of in three dormitories, each of sufficient capacity to accommodate two hundred men. Our population is 60 per cent. colored and 40 per cent. white, consequently two of these dormitories are for the colored men and one for the white. The five paid officers who care for the men until midnight are assisted in their duties by six prisoners who are sentinels and who do guard duty by patrolling the yard on each side of these dormitories. There is neither lock nor bar on doors or windows of these dormitories, which are built one story. We have so few escapes that it is not worth while to comment on them. There is a dining-room, kitchen and bakery of sufficient capacity to cook for and feed these six hundred prisoners and all the departments are sanitary in all respects. We have a storeroom large enough to hold all our supplies, from which all supplies are checked out daily on requisitions made out by the various department

heads, so that from day to day we know just how much it costs to care for each department and we also know each day the amount of supplies we have in the storeroom without taking an inventory.

An ice-plant, with a capacity of two tons of ice per day, and a building capable of storing two hundred tons of ice, have been constructed. A hospital has been erected so that we may systematically care for the sick and disabled, many of the latter coming to us sentenced from the courts in Washington. This hospital is arranged with a sleeping porch along both sides and one end, so that for eight months of the year our patients live on this porch rather than in the hospital ward.

A three-story barn has been erected 165 feet long and 64 feet wide. The basement is of reinforced concrete with a 12-foot ceiling and of sufficient capacity to house the hundred horses and mules we now have. The second story is large enough to store the grain that can be raised on the farm and the third story is of sufficient capacity to store 400 tons of hay.

A dairy barn has been erected that is up-to-date and modern in all its appointments, and large enough to care for fifty cows. In connection with this building we have a brick milk house, used for storing milk and making butter. The first story contains the milk separators and cooler and all sanitary equipment for keeping the utensils in proper condition. During the past fiscal year thirty gallons of milk were shipped daily to the Washington asylum and jail, in addition to the institution using all the milk it needed.

The property yard is a two-story building with half an acre of ground, where all worn-out material of every description is taken, and from this scrap pile the mechanic must find, if possible, material for repair work. The upper story of this building is a paint shop where all our buggies, wagons, etc., are kept in first class condition.

The boiler house has been erected with a capacity to furnish light, heat and power to the more than thirty buildings of the institution. A two-story blacksmith's shop has been built and here our horses and mules are shod and general blacksmithing work and repairing done. The carpenter's shop is in the second story and there all work of that nature is performed.

Residences for the superintendent and for the assistant superintendent have been erected, the former a ten-room house and the latter with seven rooms. Both are modern in all their appointments and were built from lumber and material from our own woods by prisoners—men who were considered down and out and without the ability to work, when received at the institution.

The sewer system, complete in all of its arrangements as laid out by the sewer department of the District of Columbia, has been constructed, the main line leading out from our buildings to the Occoquan Creek one and one-half miles distant.

A 6-inch water main has been laid from our buildings, two miles direct, to the race across Occoquan Creek, through which water is pumped into a tank holding 50,000 gallons. From this tank the water is filtered into a tank that holds 10,000 gallons, from which the institution is provided with water.

Orchards have been set out with trees largely from our own growing and grafting. Some 4,000 apple trees are now growing. In preparing the soil for these trees each hole was blasted with dynamite. This was done in order to break the hardpan and give to the roots of the trees sufficient chance to get down to the moisture, with the result that we have apple trees about four years old bearing well-developed apples, while usually trees of this character do not bear fruit much before they are eight years old. We planted 1,000 peach trees under the same conditions. They are now three years old and this year bore more than 50 bushels of peaches. We have had 3,000 quarts of strawberries gathered and more than 3,000 quarts of raspberries and more than 4,000 quarts of blackberries. The vineyard, now four years old, comprising one and one-half acres, the third year produced 7,200 pounds of perfectly developed grapes and this year we gathered more than 10,000 pounds.

Thirty acres of this land have been set aside for the raising of hogs, and we have constructed six cement sanitary feed pens, each 50 x 60 feet, with troughs of cement where the hogs are fed slop made sterile by cooking, also large cement pools where fresh water can always be found. There is a runway in connection with each pen, 75 feet wide and 300 feet long where 200 hogs can be housed. Out from these runways is a field of about four acres where is sown

clover, rape and such other grasses as are suitable for the raising of hogs. Sleeping pens in each runway are located on the hill, the feeding pens being in the valley, all having a southern exposure, so that at all times during the day the sun's rays have direct contact with same. A street running along the west side of these pens and fields has been provided. On either side, lots 60 x 100 feet have been laid off to the number of fifty; in each of these lots a small brick house has been built where the brood sow remains until her litter is ready to be weaned. This plant is of sufficient capacity for the raising of 1,500 head of hogs annually. With the sanitary condition provided, cholera and sickness among our hogs will be eliminated without the use of artificial means.

Twenty-five acres of our land have been set aside for the chicken farm. Modern substantial brick buildings have been constructed for the housing and caring of these fowls. On January 1, 1915, we had 900 laying hens and we have hatched this season 2,200 chicks and will raise more than 2,000 of them. We are producing sufficient eggs from this farm for our own use. In another year we will be in a position to furnish several thousand dozen eggs to the other institutions of the District of Columbia.

A shipyard has been built and we are now making our own barges, having built three during this year, each 22 feet wide, 80 feet long and 7 feet deep, with a capacity for carrying 200 tons. We now have in our fleet two tugs, the "Louise" and "General Warren", and nine scows. With this equipment we are able to transfer our brick and stone to Washington and bring back coal, fertilizer and all freight necessary for the institution. The freight bills before this fleet was completed amounted to from \$150 to \$200 per month for supplies from Washington to this institution. This expense is now eliminated. More than 5,000 tons of fertilizer, consisting of street sweepings and stable manure, are brought from Washington and distributed over our cultivated land each year. The Commissioners of the District of Columbia have turned over to us the Ninth-street wharf for the use of the workhouse, where we now have our houseboat on which we daily keep thirty prisoners with three officers. These prisoners unload brick and stone, etc., that go to the different departments in Washington and in addition

handle all the freight and equipment that is necessary to be shipped to the institution.

More than 24,000 commitments have been handled at the institution during the five years of its existence, without locks, bars, cells, walls or fences, with the very best results. The physical condition of 90 per cent. of all prisoners has been benefited. Hundreds of individuals have gone away from the institution better citizens, being an asset rather than a liability upon the community to which they go. A part of our success must be attributed to our open-air methods with sunlight and outdoor work that is so beneficial to the mental and physical welfare of the individual, and there can be no question as to the desirability of this kind of an institution for the fellow who is down and out and has made mistakes. There is no institution where the old-time methods prevail, where the inmates will show such decided improvement in mind and body during their confinement as can be shown from the records of this institution; and, further, impressions are left on the minds of the prisoners that society is doing something practical for their betterment.

THE RESPONSIBILITY OF THE CHURCH TO THE PRISONERS' AID MOVEMENT.

REV. JAMES PARSONS, SUPERINTENDENT SOCIETY FOR THE FRIENDLESS,
MINNEAPOLIS, MINN.

"Lest we forget" it is occasionally good to look at some of the landmarks that have been passed in reaching the present point of progress.

The importance of the Prisoners' Aid Movement has in a measure been overlooked in recent years, as well as the fact that it is primarily a movement for which the church is responsible. I do not mean that the church, as such, has stood sponsor for the movement, but the church has inspired men with the spirit and the devotion that was necessary to make them leaders and promoters of the movement of which the American Prison Association is the visible exponent.

Throughout all the centuries the Christian spirit has been

working for the amelioration of the ills that beset men, but as Frederick H. Wines said, "The Christian spirit has never made more than a partial impress upon the social and legislative institutions, even in so-called Christian land". If this be so, there is surely a responsibility and obligation resting upon the church of today. If our government and institutions were thoroughly controlled by the Christian spirit we might rest content, but such a day has not yet dawned.

The honor of inaugurating the reformatory era is generally accorded to Pope Clement the XI, who in 1704 inscribed over the door of the Hospital of St. Michael, Rome: "For the correction and instruction of profligate youth, that they who when idle were injurious, may when taught become useful to the State." In the hall where the boys worked he placed this inscription: "It is of little advantage to restrain the bad by punishment, unless you render them good by discipline."

The next two men who share the glory of advancing the prisoners' aid movement are John Howard, the Protestant Englishman, and Beccaria, the Catholic Italian. They were practically contemporaneous in their work, the time being the latter part of the 17th century. Howard was an eccentric, religious man, yet withal an accurate and painstaking investigator. Becarria was of the warrior type. He was somewhat of a gladiator. By argument and exposure of the practical abuses in the administration of the law he sought to slay the old. Howard by his intimate knowledge of conditions as they were, yearned in spirit for better things and attempted to lay the foundation for a new and brighter day. Both of these men were controlled by the Christian spirit and attempted to embody this spirit in the movement they had espoused.

In 1776, about the time Howard and Becarria were active in the old world, the Quakers were busy in the new, and organized the Pennsylvania Prison Society. In that period we also find "The Christian Knowledge Society of London" advocating prison reform, and Bishop Butler preaching before the Lord Mayor of London along the same line.

The Boston Prison Society was founded in 1826. In 1844 the

New York Prison Association began its work, and the California Prison Commission was organized in 1865.

All of these movements were the result of the work done by men and women of deep religious convictions, who had an abiding faith that men could be reformed and redeemed, even though they had fallen under the ban of the law. They believed that though a man had become a violator of the law, and had gone far into crime, there was a better way than to compel him to become a permanent outcast. They felt confident that if the proper methods were used and wise influences exerted, a very large number of those who had fallen by the way might be recovered to good citizenship.

It was through the activities of the Christian men who had charge of the New York Prison Association, together with a few others of like spirit, that the now famous Elmira Reformatory of New York was established and Mr. Z. R. Brockway placed in charge.

It was also through the efforts of Rev. E. C. Wines, Dr. Theo. Dwight, F. B. Sanborn, Z. R. Brockway and other kindred spirits who were imbued with the highest Christian motives, that the American Prison Association was organized in 1870. At this first prison congress, Dr. E. C. Wines was appointed special commissioner to organize the International Prison Congress. This great Christian philanthropist succeeded in accomplishing the task assigned him and the splendid series of international gatherings at London, Stockholm, St. Petersburg and Washington followed.

With the sudden death of Dr. Wines in 1879 the American Prison Association seemed to die, but under the auspices of the American Social Science Association, the New York Prison Association, the remnants of the former organization and a few new elements, a new gathering was called at Saratoga, N. Y., in September, 1883. F. B. Sanborn, Z. R. Brockway and W. F. Round, Secretary of the New York Prison Association, were conspicuous in the reorganization.

Thus we see that the pioneer work of developing the American Prison Association was done almost entirely by devout Christian

men and women who were identified with, and leaders of the Prisoners' Aid Organization.

The present auxiliaries of the American Prison Association came in at a later date. The Wardens' Association was organized in 1887. The Chaplains' Association seems to have had their first distinct meeting the same year. The Prison Physicians' Association was organized in 1901, the Association of Governing Boards in 1907, the Association of Women in 1911, the Association of Clinical Criminology in 1913, the Boys' School Sections and Boards of Parole and Pardon in 1914. The Prisoners' Aid Movement, the real mother of the American Prison Association, finding herself homeless and desolate, neglected, among her own children, perfected an organization to be known as the National Prisoners' Aid Association at Washington, D. C., in 1910. This auxiliary came into being as the result of a well-defined feeling among prisoners' aid organizations that it could accomplish a much needed work.

At the annual meeting of the American Prison Association held at Atlanta in 1886, Secretary Round of the New York Prison Association urged that a prison association be organized in every State. The response to his appeal was not as prompt as it should have been, but during the past fifteen years there has been a commendable revival along this line. Some of the movements have worked along state lines, others have been of a more general character. The Volunteer Prisoners' League has established several Hope Halls, and has reached a large number of prisoners. The Salvation Army has a prison department, and has done a large work. The Central Howard Association has headquarters at Chicago and extends its efforts as far as possible to surrounding States. A number of States have formed independent organizations. The Society for the Friendless has state organizations in thirteen States and develops its work in each State according to the needs of the particular territory. It also has a national organization for the purpose of establishing new work where needed and to strengthen and encourage weak divisions.

This recent growth has been on the whole distinctively religious. It is a work inspired by the religious motive; an attempt to call

out a larger response of the Christian community to help in the great work of reforming and redeeming the men who have lost hope and courage.

It is a splendid thing to have wardens, chaplains, physicians and governing boards interested in the best things. The technical and scientific knowledge they possess when directed and controlled by Christian motives enables them to do much that can not be done in any other way.

But so long as human frailties remain, and social and political conditions continue as they are, it is neither wise nor expedient for the Christian church to shift the whole responsibility upon governing boards, wardens, chaplains, physicians and other officials. Neither is it fair to expect of the State and her officials everything that is needful to the welfare of the prisoner.

We believe the State should do everything she can to educate the prisoner and uplift him morally. The State, however, has its limitations. We deny our teachers the right to read the Bible in our schools. But, were this permitted, how many of us would consent to turn over the entire moral and religious training of our children to the teachers who represent the State?

The worker of the Prisoners' Aid organization comes to the prisoner as a representative of the Christian community. There is no barrier between him and the one who needs help. It is easy and natural for the prisoners to respond to one who comes as a friend. During the past seven years many prisoners, when conditions of privacy made it possible, have confided to the speaker personal history and facts concerning the past life that had been withheld from the prison officer. These facts were essential to the wisest treatment of the prisoners and when advised to do so, he has usually given the same information to the proper official, resulting in a better understanding and more cordial relations between prisoner and official.

The prisoners' aid organizations have had a large influence in improving laws. I can not dwell on this thought, but no impartial student can fail to recognize the influence that these organizations have had in helping to enact desirable, progressive laws.

One of the most vital points in connection with the reforming, redeeming and rehabilitating men, which is prisoners' aid work reduced to its simplest terms, is that it must have the hearty coöperation of the Christian public to succeed. When prisons and all officials have done their best, the work will be largely a failure if nothing more is done. The prisoner often lacks the confidence in himself that is absolutely essential. When surrounded by the most favorable prison conditions, he has been led in a large number of cases to believe that the people are against him and that it will be impossible for him to succeed. He may be mistaken in this, but through prison companions and unwise advisers this impression has been created. His misgivings and fears and self-consciousness cause him to be afraid of himself and suspicious of everybody.

This condition is a real hindrance. The prisoners' aid work tides him over this critical period, secures employment when necessary, encourages, warns against the dangers, and lets him feel that most needed element, human sympathy and friendship. But best of all the movement is at work to create the kind of atmosphere in every community that will insure a sympathetic, yet wise treatment of those who are trying to leave behind the life that has brought nothing but sorrow and regret.

We have attempted to give a fair statement of what the prisoners' aid movement has been. Is it possible for any man who believes in Jesus, the Man of Galilee who went about doing good, to doubt that the church has a mighty responsibility to such a movement? It is a work of such import that it requires the wisest and best men to direct its activities. The church cannot afford to permit the crude self-seeker to lead in these things. In the past the church has given her best to carry forward this work. Dare she do less today?

In the name of the American Prisoners' Aid Association we appeal to every Christian man and woman present to lend a hand in this great work. We appeal also to the Christian churches of the United States to coöperate in every possible way to help save the fathers, husbands, brothers, sons, who have fallen by the way and to extend the helping hand to the wayward and sinning girl

and woman who is in bonds. We need your help, your counsel, your coöperation. We ask your help not because it is our work. It is God's work, and as churches of the living God the responsibility is yours. We do not seek to shirk any duty, but while we wish you to share with us the responsibility, we are also glad to divide with you the glory that is sure to come to all who are faithful to the great task before us.

MONDAY MORNING SESSION.**Auditorium Hotel Oakland, 10:00 o'Clock.**

The Association was called to order at 10:00 o'clock by President Byers. Archdeacon B. M. Spurr, of Moundsville, W. Va., offered prayer.

President Byers announced the following committees:

Organization—

Frank L. Randall, Chairman Massachusetts Prison Commission,
Boston, Mass., Chairman.

Archdeacon B. M. Spurr, Moundsville, West Virginia.

W. H. Whittaker, Superintendent District of Columbia Reformatory and Workhouse, Occoquan, Va.

Dr. J. H. Rivers, Warden Provincial Gaol, Lethbridge, Alberta, Canada.

Guy C. Hanna, Superintendent Indiana Boys' School, Plainfield, Indiana.

F. A. Whittier, State Parole Agent, Stillwater, Minn.

F. Emery Lyon, Superintendent Central Howard Association, Chicago, Illinois.

Resolutions—

Amos W. Butler, Secretary Indiana Board of State Charities, Indianapolis, Indiana, Chairman.

Miss Catherine M. O'Leary, Member Massachusetts Prison Commission and Board of Parole, Boston, Mass.

Arthur Pratt, Warden Utah State Prison, Salt Lake City, Utah.

Auditing—

Henry K. W. Scott, Superintendent Minnesota State Reformatory, St. Cloud, Minn., Chairman.

Ward A. Garner, Warden Connecticut State Prison, Wethersfield, Conn.

REPORT OF THE STANDING COMMITTEE ON PRISON DISCIPLINE.

T. P. SALE, WARDEN STATE PRISON, RALEIGH, N. C., CHAIRMAN.

For fifty years or more the question of discipline for prisons and prisoners has been agitating the minds of prison superintendents and wardens throughout the country with perhaps no nearer a solution now than when it began, but if we are to believe that which comes from the reports of the superintendents and wardens of the various prisons it would seem that discipline is very near perfect with them.

Here is about what they say on prison discipline: The discipline of the prison was never better; violation of rules has decreased more than half; punishment cells practically abolished, no use for them in years; grass and weeds block the doorway; inside, the grey walls are covered with cobwebs. These reports would indicate that there was no further need of prison discipline, that everything was running smoothly, all was serene and nothing but pleasure to greet them, for it would seem from their reports that the best of discipline existed and that they had almost attained to such a high state of perfection that trouble seemed a thing of the past. When the birds were singing the sweetest, when the sun was shining the brightest and all that seemed to remain for them to do was to reach forth the hand and gather the reward that they had so long hoped and worked for, alas, we looked and the clouds had begun to gather, and when the storm was over we again found ourselves prostrate at the base, with nothing left except to resolute and to begin the work over which had been so suddenly wrecked.

These are the things with which prison superintendents and wardens are constantly coming in contact, with no remedy to meet the situation as it should be met. For this reason there should be some general rule developed at this or other meetings of this Association that would tend to materially help the discipline of all prisons. There seems to be two propositions that should be discussed: What would make a man a better man while he is a prisoner? and, What would continue those conditions when he is discharged? The discipline of prison and prisoners, and the best

method of obtaining these results are the important questions that confront prison management of today. We all know that our success depends largely upon good prison discipline. This admitted, the main question to discuss is, *how to obtain the results.*

The correct theory of prison discipline is not founded along vindictive lines. Reformation may occasionally find a foothold through force, but being founded upon the wrong theory will soon lose its identity. There must be encouragement along elevated lines that would direct the minds through proper channels, that will lead to a higher and better state of things if the inmate is to hold or gain back his self-respect. Give the prisoner every opportunity to prove his ability to make good and, if he does this, the chances are greatly in his favor to do so when he is discharged. All prisoners should have free access to the warden, so that he may have an opportunity to state his grievances and secure advice. All disagreements and violations of rules should be settled in this way. The moral effect of treating prisoners in this way, using always due consideration in each case, increases confidence in the warden and gives the prisoner encouragement to better his efforts in the future. Of course, the physical well-being of the prisoner should receive adequate attention, abundance of fresh air, wholesome food with a good variety, and a system of discipline that meets every necessity without too much severity. This is an age of penal progress. It has come slowly but with such certainty that there can remain no doubt as to its permanency. The barbarous methods of doing things have been abolished, and methods less severe have been substituted therefor, which are founded along humane lines, and guarantee to each man who is down and out a square deal. I am satisfied that there are too many rules to be observed. Fewer rules and a more strict observance required of those, would no doubt tend to improve the discipline of every prison. The theory that there is good in every man and that there exists a method or some influence which would appeal to his heart and reason if opportunity were proffered at the proper time so there need be no disparagement among superintendents and wardens (for there is always work collectively and individually), and with the proper efforts and the right remedy applied in the proper way,

would, no doubt, give the man inside a chance to prove that he possesses at least some qualifications that would determine character and purpose, that would contribute toward a creation of a new system, give him a higher conception of life, and eventually lift the man who has sinned and atoned for his sin, from the shallows and perils that have heretofore surrounded and destroyed him. Discipline in prisons should be the same as in any other place. It should be natural and not through force or fear, for if administered in this way all the good intended would be destroyed. Whatever punishment is administered to the prisoner should be after you have convinced him that he has violated the rules, done wrong, and that his punishment is necessary if good prison discipline is to be maintained. Always be careful to let him understand what is done is for his good and not because you have the power to do so. Good discipline is necessary for the government of any organization whether it be penal, industrial or otherwise. Many inmates are serving time for lack of training and discipline in early life which resulted in a disregard for all law and authority. Only strict discipline can overcome habits so formed. The above principles apply outside of prison walls as well as inside, and are necessary to success for the management of free men as well as prisoners. What is needed is good discipline, minus the fads and theories based on principles that would help the inmates to rely upon their sense of honor in not betraying a trust, thereby building the foundation for the forming and strengthening of character, so that they may reclaim their places in society when released. It really seems from reports of various prisons that the honor system has reached such proportions that discipline has lost its virtue, men who are honorable and who can be trusted to do that which is right without consulting their own selfish motives need no discipline and a further discussion would seem useless. In addition to this we are being told by all of the prison wardens throughout the country that their discipline was never better, and I, too, plead guilty. We have made every defense, every argument, and every discussion that would tend to help modern prison discipline, and it would seem that we had reached the land of the beginning, again. For illustration, I am using a piece of prose-

poetry. I do not know the author, but the application is so appropriate to existing conditions that I am making it a part of this report:

THE LAND OF BEGINNING AGAIN.

I wish that there were some wonderful place,
 Called the Land of Beginning Again,
Where all our mistakes and all our heartaches,
 And all our poor selfish grief,
Could be dropped like a shabby old coat, at the door
 And never put on again.

I wish we could come on it all unaware,
 Like the hunter who finds a lost trail;
And I wish that the one whom our blindness had done
 The greatest injustice of all,
Could be at the gates, like an old friend that waits
 For the comrade he's gladdest to hail.

We would find all the things we intended to do,
 But forgot, and remembered, too late,
Little praises unspoken, little promises broken,
 And all the thousand and one
Little duties neglected that might have perfected
 The day for one less fortunate.

It wouldn't be possible not to be kind,
 In the Land of Beginning Again;
And the ones we misjudged and the ones we grudged
 Their moments of victory here,
Would find in the grasp of our loving handclasp
 More than penitent lips could explain.

For what had been hardest we know had been best,
 And what had seemed loss would be gain,
For there isn't a sting that will not take wing
 When we've faced it and laughed it away;
And I think that the laughter is most what we're after,
 In the Land of Beginning Again.

So I wish that there were some wonderful place
 Called the Land of Beginning Again,
Where all our mistakes and all our heartaches,
 And all our poor selfish grief,
Could be dropped like a shabby old coat, at the door
 And never put on again.

If prison officers would give attention and consideration to matters that tend to create criminals, they no doubt would find it much easier to govern the unfortunate ones in their charge, and it would result in better management on the part of prison authorities and better observance of rules and regulations on the part of prisoners. Conditions and circumstances make prisoners. There are, in my opinion, few men in prison today who, if given proper treatment and proper management, but that would show their appreciation of such treatment by rendering in return the best service in them. Prison authorities should be careful to instruct prisoners to do right because it is right, and not through force or fear. Superintendents and wardens who undertake to entirely govern and control prisoners through fear of punishment will have lots of trouble and very little observance of rules and regulations. The best discipline is obtainable when there is good feeling between officer and prisoner, and it should be the purpose of every superintendent and warden to have rules obeyed through love and respect rather than through fear of severe punishment. Prisoners are human beings and are like other men. Human nature is the same the world over. If prison officials receive kind treatment it is their nature to reciprocate—it is the same with prisoners. If superintendents and wardens and officers would learn well these things it would go a long way toward solving the management and control of prisoners.

I understand it is necessary to inflict some mode of punishment in order to obtain results and sometimes necessary to administer severe punishment in order to bring about a proper respect for rules and regulations. But when any punishment has to be resorted to, it should be limited and applied in the proper spirit and after due consideration. The discipline of prisoners should always be with a view of bettering conditions. Prisoners should be made to understand that prison officials are their friends and it is their purpose to help them rather than destroy them. When this is understood there will be less use for severe punishment or any other mode of punishment. What is needed in most prisons is the abolishment of so many nonsensical rules. There are a great many things that prisoners are required to do out of the ordinary that

are absolutely unnecessary and of no importance. Simple rules and regulations are what are needed. It is not so much the kind of punishment that is to be administered as it is the useless things that they are required to perform. Do not lay the burden too heavily and there will be better feeling between officer and prisoner, and less violation of rules and regulations. If this were carried out there would be less use for punishment and good discipline would be the result. Prisoners when entering the prison should receive thorough instructions as to what rules they are expected to obey. This should come orally from the head of the prison. None of us like to take orders second hand. Coming from the head, it establishes confidence and friendship which last the prisoner throughout his prison life. After all, much depends upon the warden and the way in which he administers punishment to his wards as to what result it has upon the individual prisoners.

There must be judgment, consideration and humanity combined in superintendents, warden and officers if good discipline is to be maintained in our prison. Most of the men sent to our prisons have been trained downward through life, both at home and elsewhere; many have lived under conditions and surroundings in which it was practically impossible for them to have grown up other than criminals and a menace to society. There is no rule or regulation that will thoroughly reform a bad man, so if he is to become a good man he must be willing to reform himself. There are some men in prison who really desire to reform, and these should be given an opportunity to do so. Laws and regulations for the government of prisons should be strict, wise, humane, and should be administered with a view of accomplishing the greatest good for the greatest number, thus giving an opportunity to all to return to civil life and become useful members of society. It should not be difficult for an ex-convict, who has lived a correct prison life and is discharged with a good record, to take his place on the outside of the prison, obtain for himself legitimate work and become a useful citizen. These things should be inculcated in the beginning of a man's prison life, and if properly promulgated would lighten the burden of prisoners as well as officers. Ignorance of rules is largely responsible for their violation, therefore

we cannot be too careful in making plain to prisoners what rules they are expected to obey. Well-defined rules will result in good discipline. The one thing that controls men is the confidence that they have in those who are to enforce the regulations. Therefore the very best type of man should be placed in command.

The warden should have direct control of subordinate officers, with authority to appoint and remove, as upon him alone rests the responsibility of safeguarding the prisoners and the prison. Whatever success is attained in his work depends largely upon the character and ability of his officers. Hence he should appoint them, likewise remove them should they become incompetent or violate rules. This would indicate to prisoners that justice would be dealt out to them in all fairness and that for violations of rules proper and just punishment would be inflicted. This made plain to officer as well as prisoner would create good feeling and bring about better discipline in our prisons.

In conclusion I will say that there are many things which aid prison management in maintaining good discipline. Prisoners allowed to see all daily and weekly papers, unlimited writing privileges, amusements and entertainments, out-of-door recreation, good library and schools, and religious services, and many other things are helpful to the management in the government of prisoners. Prisoners as a rule resent any innovation in rules, but I believe if they could, under some well-defined law, be allowed, in addition to what most prisons already allow, extra commutation money and good time for extra good service rendered by the individual who realizes that it is to his interest to render the very best service, I believe that it would be an incentive to do their very best at whatever work is assigned them, and I believe that it would very materially aid prison management in maintaining good discipline. When prisoners realize that it is to their interest to do right, and that they are really a part of a big business, with a coöperative interest, operated by the State, willing to divide profits, and that the officers are their friends, with a disposition on their part to give them every opportunity to become more self-respecting, more self-reliant, and a higher conception of life when they are released from prison; this, with the honor system, or trusty system—giving

the prisoner an opportunity to appropriate all the good that is to be found along these lines—the time would soon come when prison discipline would adjust itself and prison officials would have the consolation of knowing that they had not labored in vain.

NORTH CAROLINA STATE PRISON.

Supplementary to my report, I am saying a few words with reference to the class of work that is being performed by the prisoners of the North Carolina State Prison, which we believe has helped the inmates and brought about good feeling and a greater respect for rules and regulations, and especially do I wish to emphasize the great importance of outdoor work and exercise for the prisoners.

We do not work inside the walls. The big Central Prison is used as a distributing point and a hospital for the sick. The prison is more than self-sustaining, a surplus being turned into the general fund of the State each year.

We have about 850 prisoners, and this average is maintained the year round. Of this number 400 are employed on public works under contracts, railroad construction and building of public highways. The prison receives \$1.50 per day, the prison retaining direct control and paying for their keep and guarding them. The men work ten hours, no overtime being requested or required. They have the privilege of the yard on Sundays and when not at work under guard. The men are called out at 5:00 o'clock in the summer and in winter at 6:00 o'clock. We have no indeterminate sentence, and no law that provides assistance for a prisoner's family. A definite sentence is imposed, and prisoners for good behavior receive seven days off of each month of actual service. In addition to this they receive a money commutation of \$8.90 per annum. This accrues to them and is paid when they are discharged. This, however, is conditioned upon good behavior, the prisoner losing part money commutation and good time allowance for minor violation of rules, discretionary with the Prison Board: but the law provides definitely that if prisoners try to escape, conspire with others to escape, secretly assault an officer, all good time allowance and money commutation is withdrawn and the prisoner

must serve full sentence. This, of course, aids materially the management in maintaining good order and discipline. We figure the cost of maintenance at 50 cents per day, which includes clothing and guarding. The picked men are used for this work. We have 350 men employed on a farm owned by the State. The operations of this farm have been very successful and pay well. The crop for 1915, estimated, will be 1,200 bales of cotton, 50,000 bushels of corn, 25,000 bushels of peanuts and 30,000 bushels of wheat, and hay and fodder, etc., enough to feed the stock on the place for two or three years. In my opinion the farm is the solution of the labor proposition in the employment of convicts. It is out in the open, gives recreation and the work is varied. You can always find something to do for most any prisoner on the farm, whether he is weak or strong. The farm contains 7,000 acres, is divided into two camps or stations, and each is well-equipped with dwellings for supervisors and guards, good cell-houses and splendid hospitals. We have running water, but no electric lights as yet; but this matter is under consideration and they probably will be placed in the next year or so. The situation and appointments in every other respect are ideal and everything is done that is necessary to maintain good health and good morals among prisoners; they receive the best medical attention, a physician and chaplain being employed the year round, and nothing is left undone that would tend to better the condition of the prisoner. While we have numbers of honor men or trusties, as we call them, we have not reached the stage where we are willing to turn everyone foot loose. We still retain the lock and the gun, and I suspect we will have to for some time yet, for with even those we sometimes lose a man, but very few when we consider the large number of trusties necessary to conduct this work, and the vast acres they have to go over, for they work out in the open all the time. The wonder is that we don't lose more.

The Central Prison, at which our main buildings are located, is modern in every respect, steam heat, electric lights, sewerage, etc., and is built to accommodate 1,000 prisoners. These quarters are now used as headquarters for officers and for the receiving and distributing of prisoners. Our population will run between 120

and 125 the year through. Most of these are the sick and disabled sent from the farm stations and railroad camps for treatment. The tubercular patients are also kept in the Central Prison. In addition to our regular hospital, we have a large well-equipped hospital for the treatment of these cases. There is no special work done at the prison. We have a large brick plant on the grounds, but it is not being operated now. Of course, when we operate this, our population will average 200.

There is also a well-equipped library, and chapel and religious services are held every Sunday, forty minutes for Sunday school, and forty minutes for preaching. The library is open to prisoners twice each week from 6:45 to 8:45, and in addition to this prisoners are allowed to take books to their cells. The chapel has been arranged to permit concerts twice each month. These are given by local talent from the city and are greatly enjoyed and appreciated by the prisoners. They break the monotony, create good feeling and help prison discipline. A machine has been installed and the best moving pictures are furnished once a week. From an educational standpoint, as well as entertainment, I regard the moving picture as a most excellent feature.

DISCUSSION.

R. W. Dick, Warden State Prison, McAlester, Oklahoma: I feel that many of you do not understand the conditions under which we have been laboring. We have an institution which stands alone. There never has been one like it so far as I have been able to find out. This has not been brought about by any of my peculiar ideas or attempt to be sensational, for if there is anything I abhor it is sensationalism along any line, especially prison management. The reason we have a penitentiary not like any other is because our convicts were thrust upon us all at one time. Our contract originally was for the State of Kansas to take care of the territorial prisoners. When we secured statehood, about seven years ago, it was discovered that our contract had expired and the authorities insisted that we take our prisoners. We were notified on one Monday morning that they should be away by Thursday night. So we brought 750 prisoners down without any place to put them. We put them in

the woods and built the penitentiary around them. I did not visit any other penitentiary because no human being could tell me what to do under those circumstances, for no official had been confronted with that condition in the history of the criminal world. So what I have worked out has been forced upon me. I cannot tell you how to run your institution. I have been at the business seven years and I am not sure of any proposition. I do not know whether I am right or wrong, but I do know one thing, upon which I think we are all agreed, and that is that instead of punishment, kindness is the only way to handle men and the only way to handle women. The sooner we get the idea that the man behind prison bars is no different from the balance of us, the quicker we will solve this problem. The same thing appeals to the man on the inside that appeals to the man on the outside.

It is a question of handling men. I can not tell you how to do it any more than I can tell you how to court a girl. Of course it is easy enough for a man to be warden if he has enough guns and enough men. If he can not hold them he can shoot them. I do not call that prison management. I do not go to the extent of turning the management over to the prisoners. I do not believe they are capable. If they were, there is no use to have a warden. That is going too far. There is a happy medium we should pursue. I have been fought more on account of my progressiveness than for any other reason, because our people have had the idea that a prison meant punishment. I do not believe in such a thing. I do not believe any human being will be reformed by punishment. Kindness is the only way to handle men.

We have a population of 1,400 or 1,500 men. We work every one because we have had to, to build our institution. We built the institution around them. We have trustees, and when I say trustees I mean a man I can send out without a guard or foreman and he will come back. We have a farm of 2,000 acres, but I do not agree with what has been said about working the men under armed guards. Any man we think dangerous should not be sent outside of the wall. We do not put any of our men on the farm except the trustees. They go under a foreman, like section hands. I grant you we will lose some of our men, but we go after them and bring them back.

We have what we call a secret service woman, who, when a prisoner's wife moves into the community to be near her husband, investigates thoroughly the character of the woman and her family, and if she is a good woman it is the best influence for that man there is and we have allowed our trusties to be with their wives. No man is allowed to leave the penitentiary but we permit them to go out on the farm, on Sundays for instance. The wife will perhaps bring her dinner in a basket and they will be scattered out over the farm, the husband and wife spending Sunday together. If that is not the way to reform men, I do not know how to do it. We are feeling our way.

James Russell, Warden Branch Prison, Marquette, Michigan: Are your secret service men and women officials of the prison or are they taken from the prisoners?

Mr. Dick: They are paid men and not taken from the prison.

Mr. Russell: Do the prisoners know who they are?

Mr. Dick: Yes, they know them. Any man with good judgment knows that; what they are there for. They are supposed to keep order in the yard.

Mr. Russell: Outside, if it were known that a man was a secret service man his secret service work would not be of much value. I find that there is a great contempt among prisoners for what they call "snitchers" or a "stool-pigeon" or an officer who pretends to be friendly and then reports them for anything he may discover through his friendliness. My experience has been that one of the worst systems to be adopted in a prison is that by which information is obtained in an underhanded way. I am aware, of course, that in the yard or wherever the men are enjoying themselves without much restriction, officers may learn what is going on or judge as to whether anything is being formulated of a dangerous nature by noticing how the men group up. That is perfectly legitimate. I use my officers for that purpose. I tell them to notice how the men group together. We have got onto a number of plots in that manner.

I want information in regard to those persons who are accomplishing things. According to the statement of Warden Dick they

are doing wonderful work in their institution. It is certainly a marvelous thing to bring 700 men together in a woods and have them build a prison around themselves and do it cheerfully and willingly, and I have no doubt it has been done; but I must say, however, while we believe in our State that we are quite progressive I would hate to take my bunch out in the woods and have them build a prison around themselves and around me.

C. E. Vasaly, Member Board of Control, St. Paul, Minnesota: How many escapes did you have last year?

Mr. Dick: We had twenty-nine. Twenty-one were recaptured and eight are still at large.

Question: How many were lifers?

Mr. Dick: Two.

Question: Are all your prisoners worked on the farm, no matter what sort they are?

Mr. Dick: No, only the able-bodied men. The older men, the cripples, etc., are given lighter work, such as looking after chickens.

Question: Do these men receive any compensation?

Mr. Dick: Not now. The law provides for remuneration when the institution is put on a self-sustaining basis.

President Byers: How many men work in the open.

Mr. Dick: Practically all of them. We have a trusty list of 600. We are building our factory, light plant, etc., finishing up the institution. Some of the men are used in construction work and when they run out of anything to do they are sent out on the farm.

Burdette G. Lewis, Deputy Commissioner of Correction, New York City: Are your foremen paid employes or prisoners?

Mr. Dick: Paid employes.

C. S. Reed, Warden State Prison, Stillwater, Minnesota: I am sure we are all in favor of the humane treatment of men and women

in prison. When we speak of doing this man or that man a kindness, we differ somewhat as to what kindness is. I do not think we all agree that kindness to a man is to allow him to do as he pleases. The greatest kindness to a man in prison is strict discipline. It is kind because it is deterrent. I believe that strict discipline in prison management is the salvation of men in prison, simply because it is deterrent. In my opinion discipline is the foundation upon which successful penal and reformatory institutions must build—a discipline that helps a man or woman over the rough places—that ennobles and makes them better.

When I left our institution a few days ago we had 1,016 men, less than twelve of them in the Third Grade. Our discipline is humane and easily conformed to. We had 153 men out on the farm attending to the outside work, and we have not had an escape in years.

We read reports, magazines, and other articles regarding prison reform and when we visit that particular institution we are sometimes sadly disappointed. That is the test. Visit the man's institution and see what he is doing, not only in theory but in practical things. This is a beautiful subject to theorize over and I am afraid many of us are getting away from the fundamental fact, that discipline is the only sure thing to depend upon. Allowing men to go outside the wall has been carried on for years and years. It is only within the last few years there has been this tremendous publicity along that line and it is a serious question in my mind whether or not we are going too far with it.

W. H. Whittaker, Superintendent District of Columbia Reformatory and Workhouse: I do not take the floor as a faddist, nor as one who believes in the honor system as the magazine articles referred to speak of it, but I do take the floor in the interest of progress. Warden Dick has said many good things and I approve of what he has said. I approve of the many things said in the excellent report of the chairman. For twenty years I have been studying this proposition. I do not agree with Warden Reed on too strict discipline. I believe in natural discipline. I believe in handling men in a natural way if they will let you do it. Warden Dick has not the only unique institution. Human nature is alike wherever

you meet it. Treatment that is successful for short term prisoners can well be applied to long term prisoners. The District of Columbia sent 500 prisoners into the woods in the hills of Virginia five years ago and by their labor they constructed our present institution; part of the construction was a 12-foot barb-wire fence to hold them, as we thought. We have since taken down this fence and now have fewer escapes, better discipline, better health, and better morals than can possibly be had behind 30-foot walls. We have less than one inmate a month who leaves us and thinks he can do better some place else. We do not worry very much about that.

I believe in the open air proposition. I believe if no physical restriction is put around these men, God's sunlight enters their hearts, hope will enter their breasts and we will get better results. I believe absolutely that the long-time prisoner and the short-time prisoner can be handled and made better men out in the open without locks, bars or cells.

Mrs. Lola G. Baldwin of the Prisoner's Aid Association, Portland, Oregon: We are glad indeed that there are so few women in prison. We should like to know if the women are allowed to enjoy the sunshine, as the men, or whether they are kept inside.

W. H. Whittaker: We handle about 125 women daily, on an average, and they are treated in the same manner as the men, kept in open buildings. They do laundry work, sewing, gardening, etc., and are managed by women.

Arthur Pratt, Warden Utah State Prison, Salt Lake City: The question that is before us for discussion is the report of the Chairman of the Committee on Prison Discipline. I do not care to discuss Warden Dick's remarks. Some of them were fine, but if I had as many prisoners as he had that would build a prison wall around themselves it would be an unnecessary expense to build a wall. Go without it; do not put the State to that expense.

I think the report of Mr. Sale is excellent, and while the discussion has developed somewhat into what they call this new fad, the honor system, I wish to state that twenty-seven years ago I was warden of a prison where I put nearly twenty-five per cent. of the prisoners on the farm to work without a guard and without a gun;

but I do not believe in letting prisoners run the prison. I believe in strict discipline. We have it, but it is humane in ever particular. For eight years we have never put a man in a dark cell. We did away with those cells. We have not put them in solitary confinement for eight years, nor put them on bread and water, and our discipline is better than ten years ago, when those things were done. But do not get the idea that this so-called honor system is a new fad and that every time a prisoner is convicted, no matter how bad he may be, that tomorrow he is the soul of honor.

Major J. B. Wood, Superintendent Penitentiary, Richmond, Virginia: I suspect if I were to tell you I have the toothache that there is not a friend but what would have a remedy for it. He would want to tell me how to cure it, and that is just the way when a man begins to talk about prison discipline—every man that handles prisoners can tell you exactly how to handle yours. If I were to try all of your remedies I expect most all of them would act. Some would act a little better than others, but very probably when I went to the dentist he would say I would have to lose that tooth. In the Virginia prison we want to do a little better than have the toothache, so when a prisoner comes to us we first try to remove the cause. If his teeth need treating the first day he comes, we give him the treatment. I do not mean that we punish him, but you know in caring for your teeth when you find a little part of it decayed you have it taken off. So you better say to your prisoners when you first get them, "The little things are the things for you to guard against; the little things that are violations of the rules are the things for you to care for. Be most watchful about them." We try to stop a man when he goes just a little wrong; take him in time. And when a man is taken in time we rarely have to resort to the tooth-pulling process.

We have things in Virginia that probably my friend and brother in the business, Mr. Whittaker, does not know anything about. I heard Warden Dick talk about kindness to a prisoner. Do you know what ran through my mind? The greatest kindness my father ever did me when I was a boy was when he gave me a good sound thrashing for doing wrong. It is not kindness, men, for you to let a man go wrong and not stop him. It is not kindness

in your prison when a man violates the rules, and knowingly violates the rules, for you to pat him on the shoulder and say, "Don't do that again, brother". That is not kindness to him. You must let him know that your rules are not to be violated; that they are to be respected always, everywhere. I agree with my friend, Mr. Whittaker, when he says we all like to give the bright side, and then he talks about the sunshine and the birds singing sweetly. The English sparrows sing around my prison.

I want to say that the best reformatory ideas that I try to enforce in the Virginia prison were learned in the American Prison Association. We do not have all sunshine. It rains a great deal in our country. But I want to say that we have just as many people out in the open air as you all seem to have and yet we have a prison full of men that I would be afraid to let out. I have some men I would not like to trust with two of the best wardens before me because they would get away if they had to carry both the wardens with them.

C. E. Vasaly, Member Board of Control, St. Paul, Minnesota: It seems to me that a very vital thing in prison discipline is to give a stimulus towards better achievement. In the State of Minnesota in the last fiscal year we paid our prison inmates \$85,000 in earnings of their own, and there is no prison that I know of that has that record.

We have also a provision in my State which, so far as I know, has no equal in any civilized community in the world, whereby we pay to the families of prisoners who are dependent, outside of the earnings, a sum to take care of the children and the wife. During the last fiscal year that amounted to about \$1,000 per month for prison and reformatory. You have nothing like that anywhere.

In speaking of our state prison, I would have said perhaps "firm" instead of "rigid" discipline. When discipline is applied fair and impartially, when every man knows he is being treated on the square, he does not mind even the strictest discipline.

The natural activities of the men are taken care of: the school, the church, amusements, etc., together with this splendid stimulus of earning something for themselves and those left dependent. My experience in talking with hundreds of men is that this thing

seemed to them of the most vital importance. For awhile we had 200 federal prisoners and one of them, I recall, was earning in our prison \$32.00 per month on an average. When the order came from Washington transferring these men to Leavenworth, there was wailing and gnashing of teeth among the boys because they knew at Leavenworth there were no earnings.

Hon. Frank L. Houx, Secretary of State and Member of the State Board of Charities and Reform of Wyoming: Wyoming is the first State in the Union to extend suffrage to women, and as a result of their being allowed to assist in making our laws, few of them violate the laws of the State, and at this time we have no women in our state prison.

Prior to four years ago last April, our state prison was conducted under the contract system, that is, the contractors maintained the convicts and received all of the proceeds of their labor. This system was very unsatisfactory, as the contractors were not particularly interested in the reform of the convicts or looking to their welfare in any particular. When Ex-Governor Carey was elected Governor, four years ago last fall, the State then took over the management of the state prison, since which time a more humane manner of conducting the prison has been inaugurated. With convict labor we have constructed a number of additions to the penitentiary and made many improvements about the premises. We have built a great many miles of road throughout the State with convict labor and are particularly encouraging this manner of employing convicts. We have also the parole system, having now on parole some 167 men, of which number, up to the present time, but five have violated their parole and two have escaped entirely. We believe firmly in giving every convict an opportunity to become a better man and to make something of himself, but at the same time we believe in strict discipline and rigid enforcement of the prison rules.

Nathan F. Simpson, Warden State Prison, Jackson, Michigan: Until a man has learned respect for the law and authority, we have not much to build upon. Discipline and proper respect for law and authority is the basis for reformation. It is only to arrive at what is and what may be the best field to bring results. In my

judgment the best field to enforce respect for the law and discipline is useful and intelligent and profitable labor. Every man in the world wants his labor to amount to something, to bring something. Were you to hire a laborer to work for you and you paid him the highest wage, if you put him at useless work and you called upon him tomorrow to repeat that work he would quit you. Why? Because he wants his labor to count for something. He would either say, you can not make a fool out of me or I do not want to work for a fool.

To be personal and to follow out the idea of the paper, our discipline never was better. The secret of bringing this about was through intelligent and useful labor. The Michigan State Prison stands alone, so far as I am informed, in the matter of having the most varied industries of any prison in the world. In fact, if we were placed on the remotest island of the sea and the Lord had furnished the material we would soon be living along modern lines because we make everything we consume. We have recently purchased 2,500 acres of land and are doing farming that pays, intelligent farming. We are not treating our farms as a plaything or ornament but doing the things that are profitable. We have introduced the canning factory which takes care of the surplus of the farm and makes intensive farming possible. Last year our canned products, all from the prison farm, based upon the wholesale price, inventoried \$91,000.

George A. H. Shideler, President Board of Trustees Indiana State Farm, Marion, Indiana: I would like to know how these men are running their prisons Sunday, Monday, Tuesday, Wednesday, Thursday, Friday and Saturday. In the first place the warden has a deputy. Again, the warden must be a farmer, a plumber, a carpenter; he must know how to build things other than men. He is so busy with outside work and farm work that somebody is taking care of or should be taking care of the men. You say you have 1,000 men and we are hearing all about the chickens, the hogs and the pigs and the silos and everything else but we are not hearing enough regarding the men and what is becoming of them, whether they are being taught enough.

Mr. Warden should be the appealing power. The warden should never meddle with the deputy's work other than through the dep-

uty. The deputy should be right, even if he is wrong at certain times, at least. If he is wrong, the warden should bring him into his office and talk to him, but no matter if he is wrong he should stand by him and for him as long as he is deputy and until he can get some one else to take his place. The warden should be in close touch with the men of the institution. He should be the head. They look to him as the man who should aid them. His heart, his acts, his conscience regarding them and their future is much to a prisoner in an institution. If the best discipline is to be enforced the warden first should see that his prison is clean; second, he should see that these men have a suit of clothes to appear in, in chapel, other than those they have worn when plastering some room during the week. A man should not be sitting in front of the chaplain in a suit of clothes that would stand alone and have the chaplain tell him "The Lord will provide". He should have a collar to his shirt, a necktie; his shoes should be blackened and he should have a cap with his suit of clothes, and at least assume the character of virtue if he has it not. The greatest living force in the Indiana State Prison was the morning I saw 1,100 men each with a new suit of clothes, cap, collar and necktie, all facing the chaplain—then they did believe.

Mrs. Lester F. Jones, Member Board of Trustees, Indiana Girls' School, Lebanon, Indiana: One thing we have come up against in our work is the presence of the feeble-minded and degenerates in our institution. It is hard to discipline those worthy of it when we have these others.

President Byers: Dr. Peyton, will you take up the question of discipline and its complications due to the presence in the institution of those whose mentality is so low that they are unable to control and direct themselves? I think every institution man realizes the fact that he has in his institution those constantly disturbing persons who may or may not be feeble-minded. We are beginning to understand the necessity for identifying these particular men.

Dr. D. C. Peyton, Superintendent Indiana Reformatory, Jeffersonville, Indiana: This is a question that will come up in this afternoon's session. However I can not afford to miss this oppor-

tunity to say that I do believe in firm discipline, rationally and intelligently applied. But we must not forget that every act of the human being is the result of his intelligence, therefore his actions must be measured by the extent of his mentality. We do have in every institution individuals whose mentality is so low that they are incapable either of understanding or having the will power to maintain a proper understanding of rules or discipline that normal beings should follow. I would not have any member of this audience feel that I am in any sense preaching that which is maudlin, but I would have you understand that I do believe that the question of mentality in every individual must be the standard by which he should be judged. There is no set of rules that can be made to fit every individual in any institution any more than a tailor, without having measurements, can make a hundred suits of clothes that will fit as many men.

Through the failure of the courts to understand the mental status of those coming before them for trial, they are sending to our institutions men and women that should be sent to institutions for the feeble-minded and to the hospitals for the insane. But feeble-mindedness is a question with which we must contend in every institution in this country and the best thing we can do is to try and get some kind of intelligent understanding as to the mental caliber and capacity of the individuals in our institutions.

C. S. Reed, Warden Minnesota State Prison: When it is determined that the man is feeble-minded is it not possible to have him transferred to some other institution?

Dr. Peyton: In some States this may be done; in others it cannot be done.

Burdette G. Lewis, Deputy Commissioner of Correction, New York City: In our various institutions we have found that the most important factor in discipline is the warden: what kind of a man is he? The next important factor is what kind of prisoners have you? What kind of men and how many are black and how many white? The next important factor is how long a term have they? Is it an indeterminate sentence or definite? Is it for a short time? If the men have a short term sentence and have been

hardened to prison life for a long time it does not make any difference to them whether they work or not. They are a difficult proposition because they have nothing to lose if they misbehave.

Another factor is what kind of rules do you have, a great many or a few? Whom do you have to enforce the rules? Is there an appeal from the deputy to the warden? If there is, the question of enforcement of rules is more simple because every man feels he has a right of appeal from somebody to somebody.

Another factor is the kind of plant. If it is an "old dump" it is difficult to make a decent man behave in it, no matter what the discipline or what kind of work is done.

Going back to the warden. The weak warden can keep order and operate any system with a shotgun. If you have more freedom, so called, you have to have a much bigger man. I care not whether the discipline is firm or more mild, there must be a control in the hands of the head of the institution.

Dr. Peyton: I wish to emphasize the importance we place upon discipline in the Indiana Reformatory. Instead of that being handled by one man we have an institution court, composed of the associate superintendent, who is a physician, the superintendent of schools and the assistant superintendent. These three men sit every afternoon for a time sufficiently long to hear every case that has been reported to it by the officers during the forenoon. The report comes to the court and the man is given a chance to make his statement, and any witness or witnesses in the case are called, and the man's case is thoroughly threshed out, and when the decision of the court has been once rendered, I am glad to say to you that it is very rare indeed that I have an appeal by the inmate from the decision.

J. O. Stutsman, Superintendent Municipal Farm, Kansas City, Missouri: A thorough system of grading is essential to a high type of constructive discipline. On account of the fact that the average term in our institution is only thirty days it was somewhat difficult to institute a plan of grading for merit and attainment. We have therefore adopted the method of starting all men in first grade rather than the second. When the men have been dressed in the institution and have been given their physical examination they are

received in the assistant superintendent's office where the rules and the spirit of the institution are explained to them. Each man is then given a little red card which he usually chooses to wear on the lapel of his coat, an insignia of first grade. He is allowed to keep this card during good behavior. First grade carries with it all the privileges of the institution, such as writing and receiving letters, receiving visitors, attending moving picture shows and entertainments, reading in the library, meeting the parole board, etc. If a man retains first grade standing during two-thirds of his time, he is released as having satisfied his sentence. Each day he serves in first grade entitles him to one-third of a day extra credit for good behavior.

This system of rewards is practically all the discipline we have except in extreme cases, when we occasionally use solitary confinement. Our solitary cells are as light as day and well ventilated. The punishment consists of the isolation and diminished food. Second and third grade men are segregated, when at rest, from the first grade. Extra first grade men have better quarters, better food and an occasional treat in way of magazines, games, etc.

There is a court to determine a man's standing, in case of infraction of the rules, and the prisoner is allowed to have his witnesses and present his side of the case. We find by thus dealing fairly with the men we get better results than with any other method of discipline we have tried.

Adjourned, 12:00 noon.

MONDAY AFTERNOON SESSION.**Auditorium Hotel Oakland, 2:15 o'Clock.****AMERICAN ASSOCIATION OF CLINICAL CRIMINOLOGY.**

The Monday afternoon session of the association was called to order by President Byers, who stated that this session was to be in charge of the American Association of Clinical Criminology, of which Dr. Peyton, Superintendent of the Indiana Reformatory, was president and that he would preside over the meeting.

Dr. Peyton: In assuming the chair this afternoon I invite your attention to the careful consideration of the papers to be presented. I am perfectly aware of the fact that every one here is interested earnestly and honestly in finding out that which is best, with a view to putting into effect such things as are found to be good. With that understanding I want to, as modestly as possible, suggest this one thought to your minds: first, that years ago it was the medical profession that discovered to the world the fact that insanity is a physical ailment rather than a spiritual ailment and at that time scientific and humane methods of treatment supplanted the unscientific treatment that was not humane. So I say to you that I believe there is no other department or section of this work more important than the honest and earnest attempt that is now being made to find out something definite with reference to the real cause and condition of crime and mental deficiency.

The first one to appear on this program is Dr. R. B. von Klein-Smid, President of the State University of Arizona, who will address us on the subject of "An Enquiry Concerning Some Preventions of Crime."

AN ENQUIRY CONCERNING SOME PREVENTIONS OF
CRIME.

R. B. VON KLEINSMID, SC. D., PRESIDENT UNIVERSITY OF ARIZONA,
TUCSON, ARIZONA.

Recently in a consideration of the problems of race degeneracy I have seen quoted a hymn fashioned by the poet Watts, which ran,

"Diseases are thy servants, Lord,
They come at thy command."

This hymn was sung, no doubt, with both faith and fervor, to say nothing of praise which must have been born of the relief that such a faith afforded. However, in these later days, there is no comfort to be derived from ascribing to the beneficent plans of Jehovah an inexcusable condition which is known clearly to have grown out of our own ignorance and neglect. He is an optimist indeed who can see in our trend toward race degeneracy unimpeded anything other than a plight in which the race must find its final destiny in trained imbecility. Confronted with the noticeable increase of insanity and degenerative diseases, multiplied defects of body, and a startling decrease in the birth rate, together with an increase of crime out of due proportion to the increase in population, there is no occasion for that vacuous sigh of contentment which says more loudly than words, "Because the Lord is in His Heaven, all must be right with the world". Clearly, with so much information at hand and such splendid opportunities afforded for the study of those conditions not yet understood, there is nothing left for us to do but to supplant our former methods of mere alleviation by effective measures which strike at the causes of our present distressing conditions.

I have said that crime is everywhere on the increase, but the fact that this increase is noticeable also in degenerative diseases and insanity, argues that there might exist here a closer relationship than hitherto recognized. Extensive research carried on during the last few years shows quite conclusively that this is the case. The same conditions out of which insanity, disease and alcoholism come give birth to criminality as well. It is not illogical, therefore, to argue that the restoration of the race to mental and physical health must go a long ways toward restoring it to moral health.

While no final word can be spoken in the matter as yet, most scientists agree that the criminal tendency is not inherited directly or indirectly, but at the same time they acknowledge that those weaknesses of mind and body, which, in a contaminating environment may express themselves in the one instance as feeble-mindedness and in another as inebriety, may in still a third, declare themselves in criminal activity. Therefore, to staunch the flow of such recessive characters through the veins of the human race means the lessening of all these manifestations and reactions which argue a fountain-head contaminated.

Feeble-mindedness is never crime-proof in any environment. However, a less degree of mental defectiveness may be made practically so in a controlled environment. It is not true that feeble-mindedness alone is potentially criminal; in a very well defined but limited sense, all defective mentality is potentially criminal and the further it deviates from the normal the less likely is it to respond to high ideals of social relationship. Hence there is great need for that environment which will give to even the weakest among us the largest chance for moral development. So far as social institutions are concerned, without doubt they are guilty of the charge of contributory negligence at least. Too long they have sought to ameliorate conditions, to relieve suffering and to punish waywardness with little or no serious attempt to "study the organ before the function and the physical before the moral". We seem scarcely to have heard the question of Ferri when he asked, "Is the criminal—and in what respect is he—the normal or the abnormal man, and if abnormal, whence is his abnormality derived?" nor yet the query which is being put by scientists today, "What are the conditions out of which the criminal comes, and in what respect are they good or evil. and if evil what is their origin and how can they be made good"?

As for the clearly feeble-minded, there seems to be but one opinion among men worthy to be classed as authorities because of their exhaustive and painstaking investigations, and that is that feeble-mindedness is inherited. Acting then in the light of this conclusion there is but one thing to do, and that is to make an increase in the population from such defective sources impossible. Federal marriage laws encouraging eugenic unions and preventing the

wedding of those who, beyond the peradventure of a doubt, are wholly unfit to establish homes and to become the parents of a new generation; segregation, which would keep in permanent custodial care those so far below the accepted standards of normality that, not only can they not do their part in maintaining life and health in society, but by their very presence there must constitute a menace of proportions horrible to contemplate; the practice of sterilization upon such as show themselves, by physical and mental examination, to be utterly incapable of passing on to the coming generations those desirable characters upon which the race must depend for its healthy development and perpetuity; all of these methods must be put into operation, and that at once. The feeble-minded certainly are not material upon which reformatory education, measures of punishment or periods of probation will have any curative effect.

In all our efforts along these lines we shall meet constantly with both parental objection and sentimental protest. Such, of course, must be treated with respect and due consideration, but it must not be forgotten that to a certain extent all progress must be passionless: "Neither bitterness nor tenderness", as Mr. Brockway says, "should spoil scientific procedure": public safety and the future happiness and prosperity of the race must dictate our policy.

In the case then of the clearly feeble-minded our course might seem to be plain, but what of other defectives whose condition and reactions manifestly grow out of the poor environment with which they are surrounded? In infancy and youth, and, not at all unlikely, even before birth, the contaminating influences of alcoholism, poverty and disease operate so as to render the subject most seriously handicapped, and to force upon him influences so permeated with filth and immorality as to make of him the criminal of our institutions. Crime has been called a "filth disease". The average criminal is not the vicious man which the lay mind usually pictures him to be, but in the large majority of cases he is the weakling upon whom a vicious environment plays, finding little to inhibit the working of its evil processes. This is not to excuse the individual criminal, but it is to say that the blame for his conduction does not rest with himself alone. Clean up the strongholds of filth, let in the sunshine and the pure air of heaven, and the drooping souls of

the sick, the poor and the hopeless must take new courage and new strength. Clean up dirty alleys and dirty tenements and you will go a long ways towards cleaning up dirty morals.

Perhaps this is neither the time nor the place to discuss alcoholism, but it is fair to say that a very generous proportion, probably ranging above fifty per cent. of the criminals incarcerated in our penal and correctional institutions, are victims of drink whose crimes range from mere theft to the most coarse and brutal outbreaks. The condition of the alcoholic approaches that of dementia, exhibiting a total disregard for the obligations of life, wholly concerned with his own selfish and sensual indulgence. The dipsomaniac, in his periodic debauches, exhibits reactions more nearly resembling those of the true maniac. His crimes, while perhaps not so revolting as those of the alcoholic, are likely to run the whole gamut from petty outbreaks of irritation and hypersensitiveness to taking his own life or that of another. Since both of these classes are so largely represented among our institution populations and reveal conditions approximating positive psychoses, it is not farfetched to conclude that their offspring is made to suffer directly through inheritance the weakness of their fathers. In our own institution an investigation covering the past ten years brings out the fact that fifty-nine per cent. of our men have been more or less addicted to the use of intoxicating liquors. Dr. Sleyster in a study of over seven hundred inmates of the Wisconsin State Prison shows only about ten per cent. to have been total abstainers.

Venereal disease, too, is a condition which an investigation shows to go hand in hand with crime. How much of the lack of inhibitory power of the present generation is to be ascribed to syphilis in the parents it is impossible to say, but there can be no doubt that weakness of character which reveals itself in sensual excesses both natural and unnatural is directly traceable to the vicious influence of this fearful disease.

Among those physical ailments which seem to bear a more or less direct relationship to crime should be mentioned dental deformities, pulmonary and cardiac lesions, defective sight, defective hearing, migraine, phimosis and hernia. While here, too, we may not hold to the existence of any causative relationship, it can be shown clearly that a correction of the conditions which tolerate and

ofttimes encourage the development of serious physical defects is the first step necessary to combat the growth and development of criminal tendencies. It is not unreasonable to hope that the social consciousness which made possible the medical inspection of our schools will in time become a social conscience which will demand such medical inspection of our homes as will make it possible for the young of our communities to enter upon the responsibilities of life with at least a fair chance of success. Eye troubles could be remedied through consulting an oculist; the nervous strain caused by astigmatism, strabism and myopia gives rise to that condition of nervous instability which may be directly responsible for criminal life. Dental deformities, which in early life could be corrected through the wise and timely efforts of an orthodontist or a dentist, are everywhere noticeable among the criminal class, doubtless causing poor digestion and, through impaired digestion, a lack of nourishment, which handicaps the subject to a more serious extent than we are likely to think. Nasal troubles might be relieved by a widening of the arch; adenoids might be removed, doing away with mouth breathing and its accompaniments of loss of sensitiveness both of hearing and of understanding, as well as the serious results of poor oxidation of the blood. Phimosis gives rise to that irritating condition which is more or less responsible for excessive and unnatural sexual excitement. All these ailments, and more which might be mentioned, could be attended to by the visiting physician, who instead of being a nuisance, and an interloper, would soon come to be regarded in the communities in which he practiced as the staunchest friend of the people.

The presence of such conditions as I have mentioned make for irregular attendance upon schools, interrupted attention to labor and perhaps a total disregard for those agencies among us which make for high ideals and elevate moral standards.

Some such step as is here indicated is both practical and of the most serious necessity. We are our brother's keeper in a sense never fully appreciated in this country, entailing a responsibility which up to the present time we have refused to acknowledge. But "come, let us reason together" and, having reasoned, let us act together for the preservation of our racial honor and for the fulfillment of our racial destiny.

A GRAPHIC METHOD OF ILLUSTRATING SITUATIONS IN
PENAL INSTITUTIONS.JESSIE D. HODDER AND EDITH E. SPAULDING, REFORMATORY FOR
WOMEN, FRAMINGHAM, MASS.

The great difficulty of demonstrating conditions and situations in prison life to those who do not come into close contact with them, has often been a drawback in obtaining much needed legislation. Graphic methods of one kind or another have been of great use in presenting such situations. To represent some of the situations, however, which occur with our psychopathic individuals, and to demonstrate the need of the segregation of such types, moving picture exhibits and phonographic records would be necessary. The former method has already been utilized before the legislature of one State with excellent results.

It was with such an end in mind that the method which is here described was attempted. It does not aim to fill a scientific need but is suggested as a method of explaining to the public (too often influenced by the emotional side of such questions) what the student with his studies of mental, physical and social characteristics is trying to discover regarding fundamental causes and permanent remedies of criminalism.

The symbol used (a house) is intended to represent the institution to which the individual has been committed or from which he has received help.

The fourteen charts (see Appendix) are briefly as follows:

CHART I. The present condition of delinquent women where the congregate prison system is in use.

CHART II. The ideal classification of delinquent women at a reformatory with the cottage system.

CHART III. The court made into a "clearing house" with the aid of a sociological laboratory.

CHARTS IV, V and VI. These represent the careers of three feeble-minded women who should have received permanent custodial care.

CHART VII. The result of not having segregated a feeble-

minded woman when she came to the reformatory twenty-three years ago.

CHART VIII. The court record of the family of a feeble-minded, epileptic woman.

CHART IX. The record of a family in which there is feeble-mindedness, insanity, alcoholism and criminality.

CHARTS X and XI. The need of a truly indeterminate sentence in order to keep the social inefficient who has no intellectual defect under close supervision for an indefinite period.

CHART XII. The close relationship between insanity and criminality—demonstrating that mental disease is often the foundation of delinquency.

CHART XIII. May criminalism be inherited?

CHART XIV. The history of a dependent family over a period of years.

CHART I.

(See Appendix for Charts.)

Chart I represents the present condition of delinquent women where the congregate system is in use. Here the close proximity of four distinct types and groups will be seen as follows:

1. On the one hand, the harmless group of feeble-minded women.

2. On the other hand, the old timers, serving from their third to their fifty-third sentence—necessarily a corrupting influence.

3. Above them, the psychopaths, representing the window-breaking, screaming group, so demoralizing in institution life.

4. In their midst are seen the intelligent, educable individuals, serving their first sentence, necessarily made worse instead of better because of their undesirable companions.

Can we expect satisfactory results from such a system?

CHART II.

Chart II shows the ideal classification of delinquent women with the cottage system. After an intensive study of the social, physical

and mental aspects of the case, she may be sent to one of the four following groups:

- (a) Main group—for educable women without mental or nervous defect.

Treatment:

1. Industrial and domestic training.
2. Physical training and farm work.
3. School and recreation.

(b) Group of mentally defective women who are institutionally amenable. They are a drawback to the main group. While this group would have practically the same training as the main group, they would not be pushed to the same extent and would be given work of a less complicated kind, involving less responsibility.

(c) This group would include the psychopaths who are noisy and generally destructive. They require very close supervision in small groups—not exceeding ten at the most.

Treatment:

1. Hydrotherapy.
2. Education—school, industry, outdoor work.
3. Discipline.

(d) This group includes the habitual offenders with three or more sentences who have no mental or nervous defect. We feel that besides the general treatment they should have—perhaps more than any other one group—some self-supporting industry from which they may receive a share of the proceeds, in the hope that it will re-establish their self-respect. Without the cottage system it is impossible to execute such a plan of treatment.

CHART III.

Chart III represents the sociological laboratory, equipped with psychologist, physician and social investigator in connection with the court, so that it may become a clearing house for the disposition of criminalistic and non-criminalistic cases. The different insti-

tutions to which individuals might be sent from such a clearing house are as follows:

(1) State infirmary, for those cases needing treatment alone, in which there have been no signs of delinquency.

(2) An institution for feeble-minded for uncomplicated cases of mental defect. Such cases can be managed in large groups and taken care of in dormitories, with comparatively small expense to the State.

(3) An institution for feeble-minded with psychopathic tendencies. Such an institution presents one of the greatest needs in the community at present, since the psychopathic woman is the unsolved problem of every institution, and for this reason is often returned to the community as soon as possible. There is, however, no reason why—if she shows intellectual defect—she should not be permanently segregated. This institution, it is felt, should not necessarily come under the penal system, because the mental defect in itself is sufficient explanation and excuse for delinquency.

(4) A psychopathic hospital for the further observation and study of psychopathic cases.

(5) State farm for inebriates with no immoral tendencies.

(6) The reformatory, in which there is a laboratory for further study and classification. This classification, which will be seen in more detail in Chart II, consists of the following groups:

Group A. The main group of educable women without marked nervous or mental defect, who are serving their first or second sentence

Group B. There will always be cases of mental defect which will not be considered committable by the court, but which will be a drawback to the main group. They should be segregated during their stay in the institution in a cottage or cottage colony of their own.

Group C. The psychopathic group with or without mental defect. These are the window-breaking, screaming group who are not insane, and therefore not transferable to insane hospitals. They, too, should be segregated during their stay in the institution.

Group D. The "old-timers" without mental or nervous defect. Such a group would usually include those having had three or more sentences.

When laboratories are established throughout our penal system and adequate means provided for the appropriate care of the various classes and types after the diagnoses have been made, criminalistics will have made a great step forward.

CHART IV.

Chart IV (N. A.) represents the life of a feeble-minded, epileptic girl who has passed through seven different institutions and is to be sent back into the community because no suitable institution exists where she may have permanent custodial care. As a child, besides her mental defect, she showed marked abnormality. She would tear off chickens' heads and torment her playmates. While at the industrial school she had furious outbursts of temper, and because of her mental defect she was committed to an institution for the feeble-minded. There the same attacks continued, probably representing the psychic equivalent of her epileptic attacks, and she would scream and swear, break furniture, etc. From there she was transferred to a hospital for the insane, again changed to another hospital for the insane, and after six months returned to the community. She has already served two sentences at the Reformatory for Women. In the three months that she was in the community between commitments she learned to drink and to frequent the cafes, of which she had heard from the other women. She returned to the reformatory proud of her achievements. As she was pregnant it was necessary to transfer her to the State Infirmary. After the birth of her child, she will again be returned to the community with this additional burden. Although she has spent eighteen of her twenty-two years in being shifted about from one institution to another, she is to be set free now because there is no institution which is equipped to care for her. She demonstrates the need of an institution for defectives with psychopathic tendencies.

CHART V.

Chart V represents a feeble-minded woman from a good family, who did not have permanent custodial care in a suitable institution early in life. It shows her travels in and out of twenty-eight different institutions. During her life she has cost her family thousands of dollars and an unspeakable amount of mental distress. She has also been a most undesirable person in the community. At the age of 43 she is about to return to the community to continue her career. Whenever she has been confined in institutions of any kind she has called to her aid all the prominent lawyers and politicians whom she could interest in her case. At one time she was responsible for a state-wide investigation of all hospitals for the insane for the purpose of discovering persons who were being held illegally. Wherever she has been she has been considered a most troublesome type of patient because she has had intelligence enough to use her anti-social tendencies in agitations of a very undesirable nature.

The daughter of a high school instructor, she showed abnormal tendencies at an early age. She would drink ink or anything else which she could find. Before she was 19 years old she was addicted to the use of alcohol and drugs. Her family—to protect her from prison sentences—had her cared for in hospitals for the insane, from which, as there never was any definite psychosis, she was always eventually released. The diagnosis was made of “moral imbecility”, of “constitutional inferiority” or occasionally of “feeble-mindedness”, but never of a definite psychosis. She has good language ability and writes well-expressed, fluent letters to the lawyers whom she consults. Psychological examinations, however, show that she is unable to grasp fairly simple processes, and shows the limited intelligence of a defective individual.

At 43 she has spent over fifteen years in institutions and has returned thirteen times to the community. This chart also demonstrates the need of an institution for defective individuals with psychopathic tendencies.

CHART VI.

Chart VI (B. H.) shows a psychopathic, subnormal woman who needs permanent custodial care. Where will she find a suitable

institution? She is now 32 years old, having spent but ten years in the community. At the expiration of her present sentence she will return to it again, as unfit as she has always been to care for herself.

Her tendency to escape and her excessively immoral tendencies have made her a very troublesome patient wherever she has been.

CHART VII.

Chart VII (B. M.) shows a feeble-minded woman who came to this institution twenty-three years ago. If at that time the proper diagnosis had been made and she had been given custodial care, she would not have returned to us within the last year in the company of a bright girl of only 21.

CHART VIII.

Chart VIII represents the court record of the family of a feeble-minded, epileptic woman. The first line of each group shows the number of times the individual has appeared in court, while the second line shows the disposal of the case. It will be seen that with 57 arrests there were only 23 sentences. This demonstrates the unsatisfactory results of our present penal system which is not based on laboratory studies.

CHART IX.

Chart IX (P. J.) shows record of a family in which there is insanity, feeble-mindedness, alcoholism and criminality. This case demonstrates the instability resulting from nervous and mental defect which is so often the foundation of criminalistic behavior.

CHART X.

Chart X (W. W.) shows the history of a woman who has had forty-five sentences. She is neither feeble-minded nor insane, so could not have been committed permanently to any institution. Nevertheless, her record shows she is unfit to live in the community. A truly indeterminate sentence is the only method by which such a case can be controlled adequately and the community be protected.

CHART XI.

Chart XI (D. F.) shows the toll paid by society through its charitable institutions for a psychopath who is neither feeble-minded nor insane. Besides the institutional aid shown, there has been much help given by private individuals which it is impossible to estimate. Thirty different institutions have given help or shelter to this woman and her immediate family.

Is there not economic waste through lack of co-operation demonstrated by this chart?

CHART XII.

Chart XII (R. R.) shows the close association between insanity and criminality, and demonstrates the instability which is often the foundation of delinquency. Among five members of this family there are twenty-three commitments to insane hospitals and sanatoria, four arrests and one sentence.

CHART XIII.

Chart XIII shows the heredity of two illegitimate children (twins). They were adopted by private families at the age of two and did not see or hear of each other again until they met at the Reformatory for Women, to which they were both sentenced for the same charge—vagrancy—within the same month. This would seem to prove the inheritance of criminalistic characteristics were it not for the underlying factor of epilepsy, which is present in both cases. Their antecedents were a family of paupers who for a period of fifty years had been cared for largely by the State. The mother, who at the age of 41 is still in the city almshouse, had been sent fifteen times to state institutions and has spent over twenty years of her life in them. As will be seen from this chart, almost every member of the family has been confined at some time in a state institution. Besides this, for years at a time they have been furnished with state aid.

The two girls—interestingly enough—show no intellectual defect. This is apparently true of the mother, of whom it was said, "She is bright enough, but as you can see for yourself, is not like other folks."

The question of how it would be possible to segregate permanently social inefficients who do not show intellectual defect, is a very grave one.

A few years ago this case would have been considered proof of the direct inheritance of criminal traits; now we recognize the importance of underlying factors which, in this case, appears to be epilepsy.

CHART XIV.

Chart XIV (W. B.) shows the history of a dependent family over a period of years, a white woman who came to us knowing nothing of her parentage, and through sociological investigation was found to have belonged to a colored family in which there was some Indian blood. This chart gives one some idea of the work the State does in placing these children in private families and keeping them under supervision until 21 years of age.

The lack of inhibitions, which may have been partly racial characteristics, may have accounted for the delinquency and illegitimacy which is found in this family. The woman, whom we have been able to examine, showed good intellectual capacity in spite of her delinquency.

The method which has here been described we would consider in the line of an experiment. It is to be hoped that if it should prove of any value in demonstrating situations found, that its further use will suggest other and more efficient methods of utilizing the symbol.

ARE THE DISCIPLINARY CASES IN A REFORMATORY IDENTICAL WITH PSYCHOPATHIC CASES?

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My object in presenting to you this paper is to demonstrate what I am convinced is a fact, what indeed I suppose many of you also believe, that the term "disciplinary" as applied to chronically troublesome inmates of correctional institutions is for the most part a misnomer; that it should be displaced by the term

"psychopathic" and that those cases commonly designated disciplinary should be studied and diagnosed in accordance with modern psychiatric conception and receive therapeutic instead of punitive treatment. This conclusion is based on certain personal experience which it seems necessary to state as introduction.

In the summer of 1913 I had my first acquaintance with the methods of a correctional institution. At the request of Dr. Katharine Bement Davis I spent three months at the State Reformatory for Women at Bedford Hills, N. Y., making preliminary studies for the Laboratory of Social Hygiene. Later I returned for the period of one year which has recently been completed. Having had previous experience only with hospitals of general nature or for the insane, I may be said to have approached the problem with a hospital viewpoint. My automatic reaction towards a case reported as "giving trouble" was "what is the diagnosis of the case and what treatment shall be applied to correct the abnormal manifestation"? With this approach it is only fair to mention that frequently I was surprised to find no wide and varied methods of treatment in vogue but a somewhat stereotyped and narrow system of so-called "punishments", varying in degree from deprivation of certain articles of diet or of recreation privileges to the application of handcuffs or confinement for longer or shorter periods in a skylighted brick room in a building set apart for the purpose.

The term punishment which at first caused an instinctive shudder was soon seen to have acquired in its minimum application a very mild meaning indeed. Yet the fact that abnormal and to my view clearly psychopathic manifestations of behavior were met with prescriptions of punishment instead of by measures of treatment appealed to me as unscientific and unproductive of beneficial results. To be sure I was not alone in this idea. Dr. Davis believed that a relatively large group of girls who were constant sources of trouble in the institution, turbulent, unreasonable and complex, were abnormal products of one sort or another. To throw light on this very subject indeed was one of the objects of the establishment of the Laboratory of Social Hygiene.

From investigations carried on during a period of one year and three months the subjects in the Bedford State Reformatory appear quite definitely to fall into four distinct groups as follows:

I. **ACCIDENTAL OR CHANCE CASES:** Practically normal in mental makeup but through some chance combination of circumstances beyond their control, a purely extrinsic cause, have blundered into the hands of the law. For example, foreigners ignorant of language and customs, individuals sporadically under influence of alcohol or misled some way through no fault of their own into breaking the law.

II. **MENTAL DEFECTIVES:** Persons whose intelligence tests below the standard accepted as normal. Some of these show pronounced psychopathic manifestations but feeble-mindedness is the primary fact.

III. **MENTAL DEVIATES:** Persons whose intelligence tests above the standard accepted as feeble-minded but who show other abnormal mental traits, such as instabilities and inadequacies in daily contacts, lack of average moral and ethical standards, hyper-suggestibility, sub-inhibition, etc. This group practically squares with that more commonly known as *constitutionally inferior*, but the term *mental deviate*, as used by Dr. Geo. Walton and others, seems more accurately to fit the type. For the most part these cases possess insight sufficient to keep them in fair disciplinary immunity in the even regime of the institution. Drug cases almost invariably fall in this group.

IV. **PSYCHOPATHIC AND TRUE PSYCHOSES:** Persons showing such persistent abnormal traits as to amount to actual insanity or to an almost sure progression to insanity unless satisfactory preventive measures are instituted. They show pronounced psychomotor disturbances of manic or depressive order, paranoid or other delusional states, hallucinosis, hysterical or epileptic stigmata, etc. Insight in these cases is generally lacking, in consequence, unless the nature of the case is at once recognized, they are subjects of repeated and quite unjustifiable discipline.

According to the classification here given distribution of the disciplinary records of one hundred consecutive admissions to the

Reformatory (2d 100 Laboratory of Social Hygiene Records) studied during my interim of service yields the following table:

Group.	Total No.	Disciplinary Record.
1. Accidental or Chance	9	0 0%
2. Mental Defective.....	38	5 or 13%
3. Mental Deviate	38	4 or 10%
4. Psychopathic.....	15	10 or 67%
	100	

In Mental Defective group are two cases who would belong in psychopathic except that mental test record makes it necessary to diagnose them subnormal. Question whether deterioration rather than defect is responsible for record was waived. One case is for "running away", a technicality which really takes it out of the type of case dealt with as repeated or chronic and therefore psychopathic.

In Mental Deviate class two were disciplined for running away. (See above.)

The total number of psychopathic-disciplinary cases studied during the interim of service are diagnosed as follows: Attempt to state exact psychiatric entities seems useless. Some of the cases were not observed long enough to settle the ultimate diagnosis. Others are in too early development to warrant conclusion. To characterize cases by the most salient manifestation is perhaps exact enough for the purpose in hand.

Classification of psychopathic-disciplinary cases according to most pronounced characteristic.

1. Excitements. Total number 39, 87 per cent. Including manic, epileptic, hysterical, and praecox.
2. Depressions. Total number 3, 6½ per cent.
3. Paranoid delusional manifestations. Total number 3, 6½ per cent.

In addition were studied 12 psychopathic-non-disciplinary cases who obviously do not figure in this discussion.

Practically all of the above showed interesting and significant physical defects as accompaniments.

The figures here given are not a register of the total number of the disciplinary cases of the institution during the period considered. They represent only those called to my attention by the disciplinary officer for investigation and must therefore show a minimum number. They show, however, that a large number of cases which under reformatory regime are catalogued as disciplinary, and so treated, would under hospital interpretation be classified as psychopathic, and so treated. This conception of mental abnormality among criminals has been vigorously combatted by ultra-conservative and reactionary advocates of established prison methods, but its truth is slowly becoming evident. It has had individual advocates, of course, always. A book published in 1863 by a woman for many years matron in Millbank and Brixton (Eng.) prisons has within a few days come to my notice. It portrays the prison problem of that time as practically parallel with that existing today. More than fifty years ago the discerning writer of the book concludes that there are many more insane persons among women prisoners than are legally adjudged so. She suggests that if these could be cared for in a separate department where rules could be modified to suit their needs it would be much more fair to prisoners and to officers. Fifty years ago the need for psychopathic differentiation must have made itself felt, yet in that long period how little progress has been made.

In much less than fifty years the problem of insanity has by reason of attention been brought to a fair state of understanding. Shall we conclude that the problem of criminology has lagged behind because science has let it alone? Certainly nothing except scientific method of study will ever solve it. Meanwhile society goes on spending millions in the mere holding of prisoners in custody and administering to a heterogeneous mass a routine, ironclad system which bears no relation to the needs of the individual and contributes nothing to the ultimate clearing up of the problem.

The recognition of the necessity for scientific interpretation of the psychopathic aspect of the reformatory problem has led to the establishment at the Laboratory of Social Hygiene of a department for its special research. A building designed and equipped for this purpose is now under construction and within another year

will be in operation. This is in all probability the first organized attempt to displace dogmatic discipline by scientific diagnosis, and marks, it is safe to say, barring the equally important institution of study of the feeble-minded offender, the greatest advance that the subject of criminology has ever made.

NEXT STEPS IN CLINICAL CRIMINOLOGY.

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The present stage of procedure in courts and institutions where offenders are handled is that of mere beginnings, so far as application of scientific effort is concerned. Any tracing of results of treatment, any real study of causes of the behavior that is the point at issue, such as corresponds to practical studies that are nowadays made in a hundred other fields, is hardly more than begun in a few centers. I beg leave once more to assert the newness of the conception of applied science here, as well as to insist on the strong and certain part that a more logical type of endeavor is bound to play in the future.

Never was this last point borne in on me as when that great man of the Prison Association, Charles Richmond Henderson, a short time before he recently passed away, summarized the history of social attitude towards the offender. In a ten-minute prelude to a lecture I gave before his university class, this master-mind offered his maturest thoughts. From the background of his splendid mental horizon he powerfully affirmed for the approach to the problem of crime and its treatment the ultimate values of the closest inquiry into causes in the individual case—bringing to bear all that we have or can develop in psychology and biology and social studies. Recent developments in applied psychology, said he, are particularly worth much.

The rôle that clinical criminology is to play in bringing about the more efficient order of things we all hope for, we can in considerable part discern. In the last decade has begun in earnest the study of types of men according to their peculiarities, namely, mental, which are most closely related to conduct. Schemes of

mental measurement, for example, imperfect though they yet are, have made us acquainted with defects of intelligence which exist five to twenty-five times more frequently among groups of caught offenders than among average groups of those who do nothing that gets them into the clutches of the law. Then certain border-line types, hardly sane, hardly insane, have lately been thrown into strong relief through better understanding of how their conduct, by reason of their mental inability, may be persistently anti-social. And the effect of some diseases, notably syphilis, with all its dire aftermaths, upon the production of delinquencies is coming to be appreciated. But from this start there are long distances to go.

The one question that is ever pertinent in the inquiry of clinical criminology is, just why does this offender commit his offenses? Now this is an interrogation that extremely rarely can be answered simply and by a single term. Even for the most practical reasons the various and often complicated factors of the case should be elucidated. I am afraid that in very many instances the designation of the offender by such an explanatory term as feeble-minded does not tell sufficient of the story. Given two brothers feeble-minded; one is a criminal, the other is law-abiding. We find here that environmental factors, too, and certain unfortunate experiences have to be taken into account to explain the difference in behavior. Are all constitutional inferiors and epileptics, we may ask, those types so prone to be found in the prisoner's cell, are they all criminally inclined? Even these bare indications of variations within the same group will serve to suggest the need of further study by clinical criminologists into the differences of conduct tendencies within groups, and into what may be the physical and mental and previous experience basis of such variations.

It may be that further development of mental tests will do something to clear up the question of differences in social reactions among individuals by nature akin. Certainly a pressing problem is that of better tests. We shall all, I think, be forced to agree with our own long-standing contention and with Kuhlmann's assertion that something entirely different from the measuring scale for children is necessary for fairly gauging adult offenders. And then we must recognize and classify special types of defects where

the general level of intelligence may not be especially low. Some of these special mental disabilities possibly may be strongly correlated with tendencies to criminal behavior.

Then we are still far from knowing enough norms. It is all very well to state that a much larger proportion of offenders than of the general population is mentally defective, but how about the social groups from which these delinquents particularly come. We have no large studies of how the lowly, but non-criminal workers of the world pass on tests. Students of adult offenders should make it one of their next steps to get something like a fair showing of facts on this point.

But, above all things, it seems to me, we next need many careful and long studies of the types of ideation which lead to crime. How do criminalistic thoughts get started; what makes them stick in the mind; what makes them recur with such virulence? While not neglecting estimations of innate mental capacities, we must get more at the content of thought and at the imagery which gives the direct criminal impulsion, which forms the real dynamics of the situation. To enumerate some of the more important problems for solution we have:

What has built up *mental habit*, so that ideas continually revert to criminalism?

From what source has arisen *obsessions* towards misdeeds that characterize some, even mentally normal delinquents?

Upon what basis develops the *anti-social grudge* that commands some offenders' trend of behavior?

What is there in *mental life*, apart from the effects of dissipation, which apparently controls the scene at times when moral considerations would otherwise have had normal sway?

What bearing has the present mental life upon *prior education* and *prior experiences*, and particularly upon the possibility of *re-education*?

What types can be effectually appealed to? What types of earlier experience can be *remedied*, and what are *irrevocable*? (These are immensely practical points, studies of which have never been carefully made. Of course, years of observation may be required for the answers, but data should steadily be accumulated.)

What kinds of *physical troubles*, if ameliorated, are in any way curative of delinquent tendencies?

Attempt to answer at least some of these problems should form the next steps of clinical criminology. To get a chance to develop this science it will be necessary in nearly all situations to give practical aid—that is fair enough—and nothing will thoroughly serve the purpose of both science and practical diagnosis except studies of fundamental causes of criminal behavior.

In our science we surely stand against the idea that criminalism is to be taken for granted, we stand against hopelessness, and, by virtue of this, we must show some of the ways out of all this social trouble. We can, on the other hand, see that there is no panacea; we must then collect conclusive data to offset mere theories and quackery concerning remedying crime. It is our duty to advance step by step in safe knowledge.

MORPHINISM AND CRIME.

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Within recent years the question of morphinism and its relation to social problems has become of great interest and has attracted the attention of the world.

Whereas a decade or two ago the evils of the use of morphine and its derivatives were recognized, only recently has this evil been feared and drastic measures been taken to eradicate it.

In 1906 China, the country where the peril gripped most tenaciously, realized the demoralizing effect of the drug and decreed that traffic in opium must stop. Although China's efforts at enforcing this decree are energetic and have produced good results, still the traffic is carried on secretly to a very considerable extent.

The state governments in America through their state boards of pharmacy have been quite active in dealing with this curse. In some States the illegal trafficking in opium or morphine has been declared a felony and a number of convictions have been secured.

The federal government has imposed a very heavy import tax on all opium brought into the country. This tax has caused the

price of the drug to soar and has opened up new fields for crime, first by creating the necessity for smuggling, and secondly, by so restricting the use of morphine by those afflicted with the addiction that they commit burglaries and other crimes to secure the necessary means for purchasing their drug.

The latest federal legislation relating to the production, importation, manufacture, compounding, sale, dispensing, or giving away of opium, or coca leaves and their salts, derivatives or preparations, is the so-called Harrison Law recently enacted by Congress, effective on March the first of this year. This requires the registration with payment of a special tax of all persons who deal in these drugs in any way, and makes failure to adhere to these requirements unlawful. It also declares unlawful the possession or control of the aforesaid preparations by persons not so licensed unless otherwise provided for in this act. Section 9 declares that any person who violates or fails to comply shall, on conviction, be fined not more than \$2,000 or be imprisoned for not more than five years, or both. With this act, then, another cause of crime with relation to morphinism is established.

Within the past two years at San Quentin Penitentiary over sixty prisoners have been received who admitted verbally or by their actions that they were confirmed addicts to opium in some of its forms.

As soon as these addicts are received at the prison, they are measured and photographed according to the Bertillon system and are then turned over to the medical department for examination and treatment. Most of these men have just come from the various county jails where they have had their potion which usually suffices them until they reach the penitentiary. By this time the so-called "habit" is coming on and the habitue is a pitiable sight. After obtaining from the patient his method of administration and the amount he usually takes, the required dose to ease him is given and soon his normal attitude and behavior returns.

It is at this time that information regarding his addiction and its relation to crime, in more detail, is brought from him. All of his answers to the questions asked him are carefully written down,

and later tabulated and studied with the purpose in view of finding out more about this dreadful affliction.

One of the first questions asked is as to the age at which he commenced the use of "dope". Of the sixty so questioned

One began at eight years;

One began at thirteen years;

One began at fourteen years;

Two began at fifteen years.

It is seen that approximately eight per cent. began when mere children, before they should have completed the grammar grades.

Seven commenced at sixteen years;

Two commenced at seventeen years;

Six commenced at eighteen years;

Seven commenced at nineteen years;

Two commenced at twenty years.

Twenty-four, or 40 per cent., started to use "dope" between the ages of fifteen and twenty-one years. Including the 8 per cent. which commenced before fifteen years, it is shown that 48 per cent., or almost one-half of the addictions, are formed before the youth reached his majority.

Three began at twenty-one years;

Four began at twenty-two years;

Three began at twenty-three years;

Two began at twenty-four years;

Two began at twenty-five years.

Thus in early manhood, between twenty-one and twenty-five years, fourteen, or $23\frac{1}{2}$ per cent., first succumbed to this evil.

From twenty-five to thirty years, eight, or $13\frac{1}{3}$ per cent., began its use and in the next decade, from thirty to forty years, a like number. After the age of forty no addictions were formed in this series of cases.

It is seen by these figures that morphinism is usually acquired before the youth is normally away from the guardianship of his parents, and at a time when he should be guided by better influences. It is the time when his mind is relatively plastic and easily moulded.

The second question asked is: "What kind did you use first?" To this, thirty-six, or 60 per cent., smoked opium.

Twelve, or 20 per cent., used morphine hypodermically;

Five, or 8½ per cent., ate morphine.

Three, or 5 per cent., ate "yen shee", the ashes of opium, and the remaining five cases started by using cocaine and laudanum or eating opium. This shows that the greatest danger lies in the smoking of opium, for most commence in this way.

Contrast with this the answers to the questions as to the kind they used last:

Twenty-eight, or 46½ per cent., use morphine by syringe;

Eight, or 13 per cent., take morphine by mouth;

Seventeen, or 28 per cent., use both morphine and cocaine;

Three, or 5 per cent., still smoke opium.

Others use morphine by mouth and syringe together, according to circumstances, while some take heroin and laudanum.

This shows that although the majority started their addiction by smoking opium, they subsequently used morphine by the hypodermic syringe.

Of course it is difficult to obtain accurate statements from the addicts as to the amount of drug they use. Some do not know the quantity they take and others use as much as they can secure.

Ten, or 18 per cent., admit less than five grains a day;

Eighteen, or 32 per cent., admit five to ten grains a day;

Twenty, or 36 per cent., admit ten to twenty grains a day;

Three, or 5 per cent., admit twenty to thirty grains a day;

Three, or 5 per cent., admit thirty to forty grains a day;

Three, or 5 per cent., claim to use over sixty grains a day, when they can obtain it. When it is realized that ¼ grain is the adult dosage, it is seen how a tolerance for the drug may be created, and what enormous amounts may be taken without fatal results.

It is of interest to know what occupation these men were engaged in when they commenced this habit. Of the sixty, five each were waiters, tailors, showmen, and laborers; four followed the sea, three each were messenger boys, prisoners in the penitentiary, gamblers, and sporting women, while two each were barbers, peddlers, turfmen, machinists, and schoolboys. Of the other occu-

pations, elevator operator, bartender, bookbinder, hatter, pimp, porter, cook and dishwasher, were enumerated.

This is as to be expected: seamen, adventurers, actors, gamblers, racetrack followers, for the most part, the lower stratum of life. Waiters, tailors, and men of like occupations, after a hard day's work, seek relaxation in the peaceful pipe with their associates of like inclinations.

Knowing the relative tender ages at which this habit is formed, it is of interest to find out just how the use of dope was begun. To this question there were a great many answers. Twenty-six out of the sixty began by associating with bad companions at night, frequenting dance halls, saloons, poolrooms, and later "joints", where they were induced to try the pipe. Very few who ever try the pipe have will power enough to refrain from doing the same thing again at some future date when they are importuned to do so by their evil associates. Ten, or sixteen per cent., were induced and educated to this addiction by women of the underworld who perhaps took a fancy to the young man and persuaded him to go with her to indulge in this insidious vice. Another sixteen per cent. claim that they learned to smoke opium in jails and penitentiaries. In the not far remote periods of the two California penitentiaries it was not difficult to have opium smuggled inside the walls, where men not cured of their addiction would use the drug and would induce younger prisoners to be sports and take a shot. At the present time, however, a close watch is kept at the prisons and no contraband is allowed to enter. But at the county jails no such rigid vigilance is in force, and it is said by the prisoners who have come from these jails that it is a very easy matter for any one who has money to have the drug brought to him. It is in these jails that many a young man is induced to become an addict to this habit because he wishes to show his toughened cellmate that he can be as bad a man as any of them. Six others claim that they began the use of dope on account of various sicknesses, such as rheumatism, accidents, syphilis and other forms of disease in which there was a high degree of pain. In some of these cases it might have been the fault of the physician or the nurse that the patient found out what he

was receiving for his pain and in this way led him on to the addiction.

One patient examined at San Quentin began by taking paregoric for stomachache, with which he was troubled to a considerable extent. He was given this by his mother when he was at the age of seven. From this frequent dosage he acquired the habit, the persistence in which finally landed him in jail. A second addict stated that when he was in high school in a certain town in Nevada it was a fad among the boy and girl students to visit Chinatown regularly, where they smoked opium. Another told that while in the Alaskan fisheries he, with a number of other men, was given morphine to stimulate him to greater efforts and to work at higher tension so that all of the fish might be taken care of in a limited time without pecuniary loss to the company. At the end of the season he was, with a number of the other men, a confirmed addict. Messenger boys of large cities are especially susceptible to falling into this habit. One of their chief means of income is derived from female outcasts of the underworld, who send them to obtain the drug. With these associates it is not difficult to be led to the addiction.

The longest period over which any of the sixty had been using morphine was thirty years, and the shortest was eighteen months, with an average of thirteen years for each of them.

Having found out something about the formation of this habit it is of interest to know something more about the physical effects produced by the continuous use of this drug. The question is asked: "What are your sensations when you are deprived of dope?" When a drug fiend is deprived of his potion and feels that he must have relief at any price, he will state his condition as that of having a "habit". When a "habit" is coming on the patient is a most miserable and pitiful sight. He suffers from extreme nervousness, inability to sleep, cold sweats alternating with fever, hot and cold flashes, nausea, headache, vomiting, hic-cough, diarrhea, weakness and prostration, cramps in the muscles of the legs, as well as terrific pains in the bones of the whole body, pain in the back of the head and in the eyeballs, with a high degree of lachrymation. Others complain of a sense of cold in

the head, a gnawing sensation in the pit of the stomach, rheumatism, and melancholia. To some the drinking of water is like the taking of caustic, food tastes like foul medicine, and the teeth become sore and tender. Others claim that they are drowsy but are in such torment that they are unable to sleep. They have unnatural emissions while others are even unable to urinate.

One addict describes his sensations as being "too weak to walk and too nervous to lie down", "case of climb a wall if you could" or "break down a door to get it with no other thought in mind than to secure relief". One said that he had an exhausted feeling which left him so miserable that he would look upon death as a godsend. Others imagine every moment to be their last and state that to be deprived of the drug for a short time they will age ten years in a single night. Realizing that the victims of this habit undergo such horrible torments and terrible sufferings, can any one hesitate to doubt that crimes are committed to procure the drug which will temporarily relieve them.

Contrast, if you will, the foregoing with the sensations of the dope fiend when he is under the influence of his opiate. He "feels normal"; "at peace with the world"; "has relief from pain and discomfort and a sense of well-being"; "a tendency to look upon the bright side of things"; "feels the blood rush from lower limbs to face, feels warm and needs no overcoat"; "the world is yours and you care for nothing"; "feels as though had just taken five or six whiskies". Adjectives describing this feeling are fine, dandy, energetic, talkative, contented, warm, not irritable, and satisfied. Knowing this contrast and what will produce the Utopian effects, who, under such circumstances, would not risk danger, disregard penalties and punishments and jeopardize his all for relief?

Merely for medical and physiological purposes several questions are asked bearing on this phase. In reply to the question as to whether there is itching of the nose or any other part of the body, most claim that the pruritus comes on when they are under the influence of the drug, although ten per cent. claim to have no itching at all and fifteen per cent. have it when they are in need of the drug. Almost all addicts claim that they sneeze excessively when "the habit is coming on", that is, when they are

in need of the opiate, although about fifteen per cent. either do not sneeze at all or only when under the effects of the drug.

Regarding the appetite of the habitues, about sixty per cent. claim that the appetite is fair or normal, while forty per cent. say that the appetite is poor. Fifty per cent. state that sweets are craved, while five per cent. are ravenous for sour foods. Sixty per cent. suffer from constipation when using their drug, although thirty-five per cent. have regular bowel movements, or are only occasionally costive. Some of those who suffered from constipation state that at times they have gone as long as two weeks without defecation. The system certainly is in a highly toxic condition, loaded with this refuse material in addition to the morphine which is being added in larger doses at frequent intervals. This clogged condition is comparable to the toxic states which frequently produce temporary insanity.

Only twenty-five per cent. claim that they have dreams of any sort while using their drug, the remaining number either stating that they have no dreams at all or that they might have a few pleasant dreams while smoking, just before falling to sleep. This contradicts the popular belief that all drug users have most wonderful dreams. Those who do dream recall most horrible adventures in which they feel that they are being strangled, being pursued by officers, escaping from prison, being burned alive, and suffering all kinds of deaths. Others have more pleasant dreams, such as that of owning the Palace Hotel, having everything that money could buy, or retaining a large number of servants who obeyed his every wish for his own entertainment.

By some authorities it is claimed that all sexual desires and potentialities are lost after the addiction is firmly established. Most of this series affirmed this claim and stated that their passions were absolutely dead and that anything pertaining to sexual relations never entered their heads. A few, however, stated that by smoking opium alone their virility was greatly increased but that a much longer time was required for them to consummate the sexual act. These few say that prostitutes indulge in smoking opium extensively for this reason. It is noteworthy that those addicts who have been cured of their drug habit while in prison

declare that their sexual powers have returned with renewed vigor. In connection with this phase of the question it is worthy of note that scarcely any prisoners have been sent to San Quentin afflicted with morphinism who have been convicted of sexual crimes or crimes against nature.

A remarkable fact in regard to morphinism is that when the habit is formed there is very little if any desire for spirituous liquors. Men who have been heavy drinkers and taken opium or morphine to help them over a spree, as soon as the dope had fastened its talons onto them have cared no more for alcohol. One man who had been a heavy drinker lost his desire for drink when he succumbed to the drug habit, but regained his craving for drink after taking a cure in one of the state hospitals. While on a spree since his cure he committed a lewd and lascivious act with a minor, for which crime he is now serving a five-year sentence.

Considering the foregoing phases of the "dope" question, there is no doubt that opium plays a great part in crime. It is safe to say that if opium did not have its habit-forming properties, there would be at least two per cent. less criminals in our institutions, for of all the addicts examined, none laid the cause of his crime to anything other than "dope".

The greater number of felonies committed by "drug habitues" is that of robbery or grand larceny. It is when the habit is coming on with all its misery, that the fiend goes forth to procure his drug at whatever cost. They have no fear, only one object in view, "relief".

One colored addict, accompanied by a female consort, herself also a user, stole a motorcycle in one town, and wheeled it to another town five miles away where they tried to sell it in order to purchase opium. Another addict is now serving a sentence for peddling "dope". He was a higher-up, and had many under him who disposed of the drug which he procured. He states that many of his former associates are now behind the bars.

One-half hour after having taken twelve grains of morphine, one fiend walked into the front door of a private residence in the daytime and stole jewelry and money.

A tailor, aged twenty-three, burglarized a drug store, where

he took the total supply of morphine and five hundred dollars besides.

A civil engineer, being down and out on account of his addiction, deliberately burglarized, so that he might be sent to San Quentin, where he had heard a treatment was being successfully administered.

Another "hop head" loaded with morphine went into a room and "frisked" the sleeping occupant's clothes of six dollars and a half.

One other addict entered a house which was being newly furnished and stole the new carpet, making three trips into the house for it.

Another is serving a sentence for pimping. He says that if it had not been for morphine he would not have been pimping. His consort taught him the morphine habit.

Still another, in need of morphine, passed one cent pieces of old coinage for ten dollars in change. In many cases he was successful. Opium led him into crime once before when he was sentenced to prison for pocket picking.

One other who was a "twilight prowler" is now serving his third term in prison. "Had it not been for dope," he said, "I would never have been a thief."

DISCUSSION.

Amos W. Butler, Secretary Indiana Board of State Charities, Indianapolis: Ten years ago a meeting of this kind would have been impossible. I believe I would be safe in saying that five years ago we could not have had a meeting such as we are having here this afternoon. We are only beginning to understand that the essence of all of our work must deal not with armies or regiments or companies but with individuals. It is not many years ago when in our hospitals for the insane we dealt with the patients in groups, and yet today there is not a hospital for the insane in this land but what is dealing with the patients individually.

I remember not long since in passing through one of our large prisons I saw an electric cutting machine cutting some sixty thicknesses of cloth, all made to the same measure, and out of that cloth

they were going to make clothing all the same size. It has not been many years since our prisons were dealing with their prisoners in groups, cutting everything to the same pattern, measuring everything by the same standard, instead of individualizing their work. And it has only been in recent years that we have come to recognize the fact that prisoners should be classified and the individual in each class studied and treated if we are going to do the thing that we ought to do for each particular case.

A few weeks ago while visiting Massachusetts I was invited by Dr. Southard to spend the day with him at that wonderful Psychopathic Institute in Boston. He invited me to attend the staff meeting. One case that was brought before that meeting will give you some idea of what is possible in the consideration of the case of an offender who is about to be brought to trial. A young man, twenty-four years of age, was brought in that all might see him. A few questions were asked and then he was excused. His case was then presented by one of the assistant physicians. Briefly it was this: This young man, 24 years of age, had been employed in one of the smaller hotels of Boston as an elevator boy. For some violation of the rules he had been demoted. He became offended and left his place of employment. After wandering around some little time he burned some small building and was arrested on the charge of arson; was arraigned before the court and the court sent him to the Psychopathic Institute for examination. He was placed there in April. We saw him the middle of August. He had been studied and tested and a report written concerning him, which came before the staff meeting that day. A careful testing of his mental age led the experts to declare that he was 9.3 years of age, although his calendar age was 24 years. Then he was brought in and tested as to his reactions, as to his reasoning ability. This was all very interesting. After he was excused the superintendent said, "Now this young man is ready to return to the court and we are ready to make our recommendation. Under the old system he would be convicted of arson; he would admit it, plead guilty and he would be sent to prison. We shall return him to the court with a written statement of our observations and conclusions and the recommendation that he be released under the

supervision of a discreet probation officer, to return to his former employer, who is willing to receive him and give him another chance at his old job of running the elevator."

That, to my mind, is the finest thing I have seen in the testing of men before trial. The socializing of the legal profession is one of the hopeful things that is just ahead of us and when it comes to realize, as the physicians are coming to realize, that the profession needs socializing, and there is a useful thing they can do in that connection, the handling of cases in that way is the thing we can expect.

At a recent meeting at Mrs. E. H. Harriman's in New York, there was presented to us a summary of the best thought, briefly put, concerning feeble-mindedness, and one of the striking things that was said was this—that in proportion to their population the feeble-minded are being reproduced at practically twice the rate of the normal population. So this problem of the feeble-minded is a very important one. Some of us think that perhaps it is the most important question just ahead of us. There are coming into our prisons and reformatories large numbers of mental defectives, feeble-minded, epileptic and insane. Many of these should be handled elsewhere, and if we do not sift them out before they go to the institutions I believe we will have to come to the conclusion that we must study them and sort them out after they get into the institutions and that they must become permanent custodial wards of the State.

The other day I visited a remarkable institution—a village for epileptics. I saw nineteen teams in a 300-acre cornfield, seventeen of which were driven by epileptic men most of whom I had formerly seen in county poor asylums and county jails, living lives of idleness, rusting out and degenerating. One of these men, when I spoke to him, turned around and I recognized a man I had seen in jail. Why? Not because he had committed any offense but because he was a sick man. What had he done? Let me tell you. He stepped off a street car in one of our cities, had an epileptic seizure; a crowd gathered around and as he attempted to get up a policeman came along and thinking he was drunk undertook to arrest him. The unfortunate epileptic seized a telephone pole and

pulled back from the policeman. The policeman, thinking he was resisting, knocked him down, called the patrol, put him in it and took him to the police station. The next morning there was an account of the occurrence in the newspapers. His physician saw it and went to the police station. He said, "That man is an epileptic; he is sick". The officer said he was drunk, that he had a bottle of whiskey in his pocket. "That was not whiskey, that was medicine he had just obtained at my office. He came down on the street car and when he had that seizure he fell and broke the bottle of medicine." We finally secured the release of that man and his committal to the Village for Epileptics. He is there now for life, a citizen of that institution, who for about three days in a month only is incapacitated. The other remaining days of the month he is busily employed doing as much work as any paid employe about the place will do and feeling, except when under the influence of these seizures, perfectly contented. It would have been very easy to have sent him to the workhouse, but his condition was discovered beforehand and he was placed in an institution where he was fitted to live a free and independent life under supervision.

I simply mention this case to emphasize my belief that we are coming with great rapidity to the time when we must know the cases of those who are brought before our courts in such a way as to be able to sort them out either before they are tried or, if sent to the institution, we must have the facilities there to sort them out and retain them permanently in custody in other institutions than prisons as public wards.

Dr. Kenosha Sessions, Superintendent Indiana Girls' School, Indianapolis: The subject of individualism has been so thoroughly and so well discussed in these papers that there seems very little to add except that I would like to add my approval to this theory, that it has come to be a question of the individual, that each one of these "patients", as we may call them, no matter what sort of institution he may be in, must be studied individually and must be treated according to the findings. We can apply a great many tests. We can find out a great deal about reactions. We can get a great many ideas from all of these different methods but after it is all said and done, we must study the person individually to know

exactly why he acts in a certain way under certain conditions. That is a thing we have not yet found out. When we talk with a person who has done wrong, in most cases we find he does not wish to do wrong; he is sorry for having done wrong and does not know himself why he has done wrong. It may be that the time is coming that we will be expert enough, if we give enough attention to the individual, to tell better ourselves than the individual why he has done wrong, and when we have found out the reason perhaps we can apply the remedy.

After all, it is the human touch that heals, whether that is in the physical or the mental or the moral—the human touch, which means individual work and helping the individual to get a hold upon himself which he is not able to do by himself.

Mrs. Fannie F. Morse, Superintendent Girls' Industrial School, Sauk Center, Minnesota: I am intensely interested in the problem most of you are facing, but first of all in our institution we are trying not to forget that ours is a constructive work and that the first thought must be the possibilities and not the impossibilities of the girl. I have often wondered how much of that intensely, hopeful work my house-mother, for instance, could do if the first suggestion to her of the girl sent to her in the cottage should be that she is to be studied as impossible rather than possible. A short time ago I had a chance to demonstrate this. A research worker had come to me and in her first effort had sent out to the different cottages an inquiry as to how many girls in that cottage were in the judgment of the house-mother delinquent because defective. And where formerly we had been congratulating ourselves that we had comparatively few of such with us, there began to be a cry from the house-mothers that this girl and that girl and the other were hopelessly lacking in the qualities essential to the larger work that we had hoped to do with them, the making of them into citizens.

Now let me say that first of all we are trying to remember this always in our institution; that our institution is a school for purely constructive work and our first thought must be the making of that girl as a citizen; that we must study her social fitness and study all her possibilities before beginning to study the impossibilities.

But, notwithstanding this, we have in the end to face the same problem and come to the same conclusion as you that quite a quota of our girls are with us because of defective mentality. I do not refer to the distinctly feeble-minded girl always but to that unstable quality which we workers have learned to recognize; and, it seems to me that today the greatest need—I know it is so in Minnesota—is a custodial institution to which there might be sent these unstable young women, not purely feeble-minded, not really those who are unequal to self-support, but those who are showing themselves socially unfit. And is that not always the criterion—social fitness or unfitness? I do not care whether the girl reaches up to a certain grade in school or whether she is able to do certain problems in arithmetic, but I do care whether she will be able to take her place in society without being a social menace. This we should always keep in mind. Is this girl constructive or unconstructive? Can she by a series of processes of training be made community fit?

I am glad to say that not more than twenty out of 200 in our new school I would count as socially unfit, but the needs of this quota are very great, because there is no greater social menace today than these unstable girls, girls often of a pleasing personality, misleading in appearance but lacking moral discrimination and control. For such I am longing for a custodial institution where they can be placed and made partially, if not wholly, self-supporting, since many of these unstables are skillful, even talented, in many lines of work.

Dr. Peyton: I am going to call on a gentleman who has recently undertaken a work that is peculiarly closely connected with the subject-matter of many of these papers. He needs no introduction—our president, Mr. Byers.

Joseph P. Byers: After many years experience as an institution administrator, both with juvenile delinquents and young men in the reformatory and an old-line prison, and some years as a secretary of a board of state charities, and more or less intimately associated with institutions of all kinds—poor houses, hospitals for the insane, prisons and reformatories, jails and children's homes—

I have deliberately chosen—accepted, may be a better word—the direction of a work that has but recently been organized in this country; a work that has grown out of the research department of what has been to my mind the most remarkable institution I have ever known, the Training School at Vineland, New Jersey. The research department began some years ago to investigate the reasons why children came to that institution, going back into the heredity of the children, finding out where they came from, why they came and who their parents, grandparents and great-grandparents were. Inquiries were made as to their home life, environment, and social history. Out of these investigations the Research Laboratories of the Training School developed, and out of the laboratories has come confirmation of the fact that feeble-mindedness is transmitted from the parent to the child. These feeble-minded children (they are always children—they never grow up; physically they do, mentally they do not) complicate every one of our social questions. They have a direct and tremendous bearing upon the crime question and upon the questions of pauperism, delinquency, dependency.

The purpose of the National Committee on Provision for the Feeble-minded is to stimulate the interest and educate the intelligence (if that is a proper expression) of the American people to the enormous size and the enormous importance of the question of feeble-mindedness; to the end that adequate provision shall be made by all of our States in proper institutions or under proper supervision for these feeble-minded people who become paupers or criminals or dependents or prostitutes or tramps or drunkards or what not, because they have not in them the ability to be anything else than they are.

This Committee was organized last June. It is because I believe the question of the feeble-minded is so big and so important and that the opportunity ahead of the Committee is so immense, that I have allied myself with its work. I am convinced that the people of this country must be informed as to the relationship between feeble-mindedness and all of those undesirable things we are trying to eradicate from the American people.

When we realize that in sixteen States of this country no pub-

lic provision is made for the feeble-minded and that in no State is anything like adequate provision made for them; that they are in our penal and reformatory institutions, in our children's homes, in our poorhouses, in our county jails, in our communities, complicating the administration of every one of these institutions and corrupting every locality, every community of this whole land—when we realize what the importance of this whole question is to the American people, then we can see the necessity of beginning to awaken to a knowledge of the situation. It is because a few informed and interested people have been willing to finance this movement that the committee has been organized and is now ready to go into any State from which the request comes and lend its influence and services to stimulating public opinion in behalf of the feeble-minded. I believe we can do nothing better to relieve our prison officials of a great handicap and embarrassment in the management of their institutions than to first learn to know who the feeble-minded are, then to eliminate them from the penal institutions, segregate them, put them under the kind of supervision they need, where they will be able to live simple, happy and safe lives, adjusted to their mental equipment.

Frank L. Randall, Chairman Massachusetts Prison Commission, Boston: It seems to me that we are very slow in finding out that prisoners are inadequately equipped mentally when the act which causes them to be prisoners is an act of folly, and those who commit the most acts of folly are of course the most foolish. I do not like to talk to an audience like this about feeble-mindedness among prisoners, because every one here must know about it, but there are people who do not understand these matters so well, and I suppose it is an obligation upon our part to bring them to their attention.

The people in this hall have all been to school more or less and probably there are a few of us who can remember as far back as the "school dunce" for whom a cap was made out of a newspaper; but the wearer of the cap who was called the "dunce" was feeble-minded. In the classes which the people here attended there were pupils who were inferior to the others, and were the butt of ridicule of the class—they were feeble-minded. You all knew some of them. And as you think back you will remember how we made

sport of them. We did not know it was unkind and cruel, but with the natural optimism that goes with youth, by joking we thought they would become more serious; but they could not. It was impossible for them, but nobody was around to tell us so. Harm comes where people do not understand.

In a little town I know, quite a number of years ago there were some young bachelors boarding at the local hotel and they had a great deal of sport with a dunce who hung around. His personal habits were not bad. There was a young woman in the town who had no more sense than had the young man. In a merry mood they told the young woman what a nice young man this was and that he liked her, and they told the young man this was an awfully nice little girl. So they managed it—and later there was a wedding. The last I heard of them the man was dead, but the woman and four feeble-minded children were in the State's care.

Feeble-mindedness, or most of it, is of course, inherited. That has been demonstrated. Therefore the propagation of feeble-minded persons should be discontinued as far as it may be, and it can be to a great extent.

Question: The president said a committee was being formed to eliminate feeble-mindedness. How does the committee intend to go about this and by what means?

Mr. Byers: The ultimate purpose is the eradication of feeble-mindedness from the American people. That is some program. The committee believes, first, that the American people should be informed regarding feeble-mindedness. There are some things we know now without any question. We know that there are at least three in every thousand of population that are feeble-minded (that is a conservative statement); that feeble-mindedness is inherited; that these feeble-minded are complicating all our social problems; that we need to have in this country adequate provision for the feeble-minded in institutions where they may be placed under permanent custodial care and thereby prevent their propagating their kind, and that while in these institutions they shall be enabled to live, to the fullest degree possible, lives on a level with their natural ability to maintain.

The committee has not organized for a year's campaign by any means. The committee is organized to preach the gospel of adequate provision for the feeble-minded. Fifteen per cent. of the known feeble-minded are in proper institutions; eighty-five per cent. are outside proper institutions, most of them at large. I am not one of those who is willing to accept all the statements made as to the extent of feeble-mindedness, but if we cut them in half and then cut them in half again, the number is still sufficiently large to justify the organization of a committee to bring to the attention of the American people the fact that feeble-mindedness in our country is a thing to be controlled; and that it can be controlled if we can get control of the feeble-minded parents before they bring feeble-minded children into the world.

Dr. G. C. Redfield, Board of Charities and Corrections, Rapid City, South Dakota: Being a physician and a member of a board that has charge of a penitentiary as well as a feeble-minded home, and understanding conditions and knowing how the people of the country feel, I am positive that this committee will have to be a mighty big one and will have to reach over a very large scope when it attempts to educate the people along the line indicated. First of all it must be along a preventive line. If a river was running by this city and it was polluted, it goes without saying that we would go up the river to find the source from whence the pollution came. Now we, as a Prison Congress, are attempting to study the prisoner as we find him when he comes into the prison; if we had more people trying to study the condition of such men before they come to the prison a great many would never get there. I do not know of a single State in the Union which has a compulsory feeble-minded law, making it compulsory for the feeble-minded to be placed in an institution. We have some 400 in our feeble-minded home and some 5,000 in the State. If we were to go before the state legislature and ask for an eugenics law I am sure that we would not get very far with it. When we can educate the people to believe that those who are studying along these lines are not doing it from a graft standpoint but for the benefit of society, then and not until then are we going to get very far. If we are to control feeble-mindedness, one of the first laws that we must have upon our statute

books must be a proper eugenics law and this must be universal. To my mind the allowing of the mental defective to propagate and force upon society those of his kind is one of the worst crimes. Many of our brightest minds today are devoting their time and energies to the study and upbuilding of our plant and animal life, but I ask you how much is being done toward the upbuilding of the physical as well as the mental part of mankind? If one of our fair daughters becomes engaged to a young man, who is there to question the arrangement? He may come from a good family and have all of this world's goods that one might require and still be physically rotten, and be the means of forcing upon society offspring that would help to fill our penitentiaries and feeble-minded homes. This condition has always existed. I am indeed glad to know such a committee has been appointed. We all know the old saying that "an ounce of prevention is worth a pound of cure," and may God speed the day for this prevention to come.

George L. Sehon, Superintendent Kentucky Children's Home Society, Louisville: The necessity for this National Committee on Provision for the Care of the Feeble-minded is caused by the fact that there is so much feeble-mindedness in the prisons that the prison wardens have become alarmed and they are satisfied that the same method of treatment for the normals can not be given to the abnormals or the feeble-minded. It seems to me, as practical men and women, we have reached a time when we ought to know that there is nothing in the world that will solve this problem other than a thoroughly practical course of prevention. In our State I have handled some 6,500 children. Fully one thousand of them were children of pauper idiots, couples married in the poorhouses of our State, encouraged by the authorities to become man and wife and raise a family of idiots.* We should have laws making it impossible for men who have not reached a certain standard mentally and morally and physically to marry. The same with women.

My work is prevention. I would give everything on earth if I could force every warden out of a job and make his place a play-

*Until but recently the law of Kentucky allowed parents of feeble-minded children \$50 from the public funds per annum for each child.

ground for children. I do not believe we have ever understood the necessity of prevention as we should. Resolutions, strong resolutions, ought to go out from this meeting to the effect that every preventive measure should be used to stop the character of beings that are brought into the world by the class of people we deal with. Dependency is not decreasing. I know that. Is crime decreasing? Are the young men of today making a better record than the men of twenty years ago? I doubt it. Statistics do not show it. The majority of the young men and young women today who are being taken care of by our institutions—penal institutions—are subnormal.

Burdette G. Lewis, Deputy Commissioner of Correction, New York City: To my thinking, Doctor Healy in his paper made the most helpful suggestion on this subject when he raised the question as to why it is that a great many people who are feeble-minded are not criminals. It seems to me if we are going to prevent the evils flowing from this condition we must do it in a practical way. We cannot hope to pass a law right away which will be effective. We can study the children when they first come into the public schools and ascertain whether or not they are in some degree feeble-minded; what special training they need and how we are going to provide it for them. That is what we are attempting to do in New York.

We prison people are dealing with the criminals who belong to the feeble-minded class, but we are not touching the sons and daughters of other classes who are likewise feeble-minded.

We had a study made of the children of the public schools of New York City by Doctor Goddard of the Vineland Training School. Out of 734,000 children he found some 15,000 feeble-minded, as measured by the Binet-Simon test. Some of these were in high schools and some of them were in special make-up classes where the teachers frequently could not understand what was wrong with them.

We are now having a two-years' study made in one of our largest public schools. We hope to arrive at some permanent method of handling this problem. In my judgment we must now study

the individual to find out whether he is feeble-minded or not. We must then study the individual child to ascertain what are his particular weaknesses; what are his points of strength and what types of training are best suited to his needs. In that scheme of things the ascertainment of feeble-mindedness will be very incidental. The discovery of feeble-mindedness would, as Doctor Healy says, mark the beginning of our study.

MONDAY NIGHT SESSION.

Auditorium Oakland Hotel, 8:15 o'Clock.

President Byers, presiding over the Monday night session, stated that in the absence of the chairman of the Committee on Prevention, Secretary George L. Schon would read the report.

REPORT OF THE COMMITTEE ON PREVENTION ON "THE DELINQUENT GIRL."

DR. HASTINGS H. HART, NEW YORK, N. Y.

After correspondence between the members of the Committee on Prevention, it was agreed that the time allotted to the committee should be devoted to the subject of "The Delinquent Girl". This decision was reached partly because the committee regards this subject as one of prime importance at this time throughout the United States and partly because the State of California is about to open for the first time a separate school for delinquent girls.

In the year 1869 the Girls' Industrial School of Massachusetts was established at Lancaster; in the year 1877 the Woman's Reformatory Prison was established at South Framingham, Mass., and in the year 1871 the Indiana Woman's Prison was established at Indianapolis. Separate prisons for women have developed very slowly.

The first reformatories for women at Indianapolis and at South Framingham, Mass., were prisons in construction, and the administration resembled that in prisons for men; but experience in the reformatories for women at Bedford, New York, and Clinton, New Jersey, has clearly demonstrated that women can be kept safely without walls, bars, or prison equipment, in cottages similar to those which are used for young girls. It has been demonstrated also that the discipline and training of delinquent women, at least up to the age of thirty years, need not differ essentially in its general methods from that which is applied to young girls.

It is unanimously agreed, however, that young girls up to the age of seventeen and eighteen should be kept in institutions entirely distinct and separate from those intended for older women. The State of Indiana tried out thoroughly the experiment of keeping women and girls in the same reformatory, but found that the plan was not only unsatisfactory from the standpoint of administration and discipline, but that it involved a serious handicap in the impression made upon the public that the young girls discharged from the reformatory had been in prison.

In discussing the subject of the delinquent girl, therefore, your committee will consider not only the treatment of the juvenile delinquent girl, but also of the delinquent young woman up to the age of thirty years.

For many years there was no separate provision made for delinquent women and girls, but they were confined in the same prison or reformatories with men and boys. Judges instinctively shrank from committing girls and women to these institutions, and as a result the number of commitments was relatively very small. The results of confining women in these correctional institutions were very unsatisfactory. Their close proximity had an unwholesome effect upon both sexes, and introduced an element of difficulty in the discipline. It made it impossible to give to the women and girls the outdoor exercise, work, and recreation, which have become a wholesome feature of modern reformatory discipline.

The first reformatory for boys, the New York House of Refuge, was organized in 1823, but the first reformatory for girls, at Lancaster, Massachusetts, was not organized until 1869. The first reformatory for young men at Elmira, New York, was organized in 1876. We have already fifteen reformatories for young men in the States of Colorado, Connecticut, Illinois, Indiana, Iowa, Kansas, Kentucky, Massachusetts, Michigan, Minnesota, New Jersey, New York, Ohio, Pennsylvania, and Wisconsin.

INSTITUTIONS FOR DELINQUENT WOMEN.

The first separate prison for women was established in Indiana in 1871, but it was administered as a prison, not a reformatory. The Massachusetts Reformatory Prison for Women was organized

in 1877, and it was not until after that time that a modern reformatory discipline was developed in the Women's Department of the Indiana "Woman's Prison".

Four States have established separate reformatory institutions for women, as follows:

Indiana, State Reformatory for Women, established 1871.

Massachusetts, Reformatory for Women, established 1877.

New York, Western Reformatory for Women, established 1893.
State Reformatory for Women (Bedford), established 1901.

New Jersey, Reformatory for Women, established 1913.

Laws have been enacted for state reformatories for women, not yet opened, in four States, as follows:

Pennsylvania, 1913; Ohio, 1911; Maine, 1915; Minnesota, 1915.

This makes a total of nine States which have undertaken separate provision for the treatment of delinquent women.

There are in a number of States private reformatories for women which receive women by commitment from the courts, but none of these institutions, so far as we are aware, receives women for felonies.

INSTITUTIONS FOR DELINQUENT GIRLS.

Reformatories for delinquent girls exist in twenty-three States, as follows: Alabama, Colorado, Connecticut, Delaware, District of Columbia, Illinois, Indiana, Iowa, Kansas, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Virginia, West Virginia, Wisconsin.

The information with reference to juvenile reformatories which care for both boys and girls is somewhat indefinite, but, as nearly as can be ascertained, such institutions exist in thirteen States, as follows: Arizona, California, Florida, Kentucky, Montana, New Hampshire, North Dakota, South Carolina, South Dakota, Tennessee, Utah, Vermont, Washington.

In seven States the juvenile reformatories receive boys only, namely: Georgia, Louisiana, Nevada, New Mexico, Oklahoma, Oregon, Texas.

There are no juvenile reformatories for either boys or girls

reported in the five States of Arkansas, Idaho, Mississippi, North Carolina, Wyoming.

From the foregoing statement it appears that only twenty-three States out of forty-eight have provided separate institutions for delinquent girls; thirteen make provision for boys and girls in the same institution and twelve make no provision whatever for the care and training of delinquent girls.

There would appear to be no need of argument as to the duty of providing separate and distinct institutions for the care of juvenile delinquent girls were it not for the fact that only twenty-three States out of forty-eight have made such provision. We quote, therefore, from a paper by Miss Mary W. Dewson and Dr. Hastings H. Hart (see "Preventive Treatment of Neglected Children", page 28) :

"The general principles which govern the organization and administration of schools for delinquent boys apply also to schools for delinquent girls; but the problem of the girl differs in some essential respects from the problem of the boy. The girl differs not only in her physical character, strength and capabilities, but in her moral nature, strength and capabilities. She differs in her point of view, in her moral perceptions, in the motives which affect her character and influence her conduct. Some of the motives which appeal most strongly to the boy have little weight with her. . . .

"The girl is self-centered. She is personal. She has a less vital grasp of the real and practical world and less interest in it than a boy, but she has a strong idealizing sense which should be wisely directed. It should not be spent on an all-absorbing and often abnormal personal devotion. A girl loves goodness and the idea of service as much as a boy loves courage and loyalty, but she has not usually found satisfying expression for her ideals as the boy has for his in feats of strength and team play. It is for the school to teach her to express her ideals by contentedly serving those about her in the everyday routine. The girl finds her greatest happiness in customary acts of routine and in an even, well-regulated life, while the boy finds his in adventure. The girl is easily led astray by her vanity. She lacks initiative and self-

dependence. She needs some one to whom she can look for guidance.

"The girl's behavior and disposition are often affected by physical causes which produce recurrent and periodical hysteria, bad temper and sometimes temporary insanity. Many girls have been disciplined, punished, branded as incorrigible and finally ruined, whose initial need was medical or surgical treatment rather than discipline. Some, too, who seem to have ungovernable tempers while in the institution and who, while there, are continually in disgrace, when paroled under individual care in a private family learn self-control; their high spirits only serve to increase their efficiency. . . .

"The girl needs a separate school, an individual room, studious development of her individuality, training in self-protection, initiative, in wise spending of money, housewifery, domestic science, including plain sewing, dressmaking and millinery, the care of the sick, and the care of infants. . . .

"The industrial education of the girl must be adapted to her special needs. Training in domestic science is desirable for all girls, whatever may be their subsequent employment. A large proportion of the inmates of such schools are adapted to domestic work and should be trained for it. Domestic service has serious perils, but the watch-care of a girl employed as a domestic after leaving the school is a very much simpler proposition than the watch-care of a girl employed in a factory or a store. . . .

"The domestic work of the house should be performed by the girls under a system of rotation, whereby each one will have an opportunity to become familiar with every phase of housekeeping. Furthermore, when a girl has completed her training, no matter how successful she may be in the institution she should be given at once a chance on parole. . . .

"Any thorough system of industrial training for delinquent girls must take into account permanent employment. Not all can or ought to become domestic servants, but most of them will sooner or later be home makers. The disinclination for housework so frequently expressed is not always due to the work itself, but to the conditions under which it is done. The occupations based on

the natural duties of a home maker are those to which women are best adapted. . . .

"Schools for delinquent girls, like those for boys, should be on a farm, which need not be as large for girls as for boys. The girls need outdoor life. They should raise chickens, geese, rabbits and lambs. They should learn gardening and horticulture and dairying and the care of domestic animals. . . .

"The girl is better and worse than the boy. The number of delinquent girls is much less than that of delinquent boys. The census report of 1904 showed forty-seven boys out of every 100,000 of the total population in a juvenile reformatory, to only thirteen girls. The difference is due partly to the reluctance of the courts to deal with girls as delinquents, and, as a consequence, they are not sent to juvenile reformatories except in view of outbreacking faults. The great majority of girls sent to juvenile reformatories have had an immoral experience, and the difficulty of their restoration is increased both by degradation resulting from their experience and by widespread intolerance of society toward delinquents of this class.

"It is generally agreed that juvenile reformatories for girls should be presided over by women. Some schools have been under the management of a husband and wife. There is much to be said in favor of the idea that a girl needs a father as well as a mother. If just the right man and woman can be found to work together for the benefit of the girls, excellent results may be obtained."

MENTALITY OF DELINQUENT WOMEN AND GIRLS.

In preparation for this report an inquiry was addressed to the superintendents of the reformatories for women and the schools for delinquent girls, including the following questions:

"Number present in the institution?

"Number who are distinctly feeble-minded?

"Number who are subnormal, not distinctly feeble-minded, but belonging to the 'moron' class or 'borderline' cases?

"Total feeble-minded and subnormal?"

Replies were received from three reformatories for women and seven schools for delinquent girls, a total of ten institutions.

NUMBER REPORTED AS "DISTINCTLY FEEBLE-MINDED".

	Inmates Reported.	Distinctly Feeble- minded.	Per Cent. Feeble- minded.
Alabama State Training School for Girls....	59	5	8%
National Training School for Girls, Wash- ington, D. C.	80	5	6
Indiana Girls' School	322	64	20
Massachusetts Industrial School for Girls...	280	56	20
Michigan State Industrial Home for Girls...	385	118	31
New Jersey State Home for Girls.....	240	38	12
Sleighton Farm (Girls' Dept., Glen Mills School, Pennsylvania)	480	240	50
Totals for seven institutions.....	1,846	426	28%
Massachusetts State Reformatory for Women	500	80	16%
New Jersey State Reformatory for Women..	57	3	5
New York State Reformatory for Women (Bedford)	150	36	24
Totals for three institutions.....	707	119	17%
Grand totals, ten institutions.....	2,553	645	25%

TOTAL NUMBER REPORTED AS DEFECTIVES, INCLUDING MORONS.

	Distinctly Feeble- minded.	Morons or Borderline Cases.	Total Feeble- minded and Morons.	Per Cent. Feeble- minded and Morons.
Alabama State Training School for Girls	5	24	29	49%
National Training School for Girls', Washington, D. C.	5	55	60	75
Indiana Girls' School.....	64	155	219	68
Massachusetts Industrial School for Girls	56	112	168	60
Michigan State Industrial Home for Girls	118	13	131	34
New Jersey State Home for Girls	38	68	106	45
Sleighton Farm (Girls' Dept., Glen Mills School, Penna.)..	240	96	336	70
Totals for seven institu- tions	526	523	1,049	57%

	Distinctly Feeble- minded.	Morons or Borderline Cases.	Total Feeble- minded and Morons.	Per Cent. Feeble- minded and Morons.
Massachusetts State Reformatory for Women	80	145	225	45%
New Jersey State Reformatory for Women	3	10	13	25
New York State Reformatory for Women (Bedford)	36	31	67	42
	—	—	—	—
Totals for three institu- tions	119	186	305	43%
	—	—	—	—
Grand totals, ten institu- tions	645	709	1,354	53%

It is, of course, to be conceded that the estimate of the mental status of the girls and women in these ten institutions is a tentative one, as is indicated by the considerable variation in the apparent results. It is only eight years since the first effort was made to estimate the mental standing of the inmates of institutions for delinquent girls and no agreement has yet been reached as to which tests are most reliable. It is recognized that there is great difficulty in applying any system of tests to the older girls and women, for the reason that the results are affected by the influence of environment, school instructions, trade experience, and so forth. Nevertheless, these figures have a distinct and valuable significance. It is noteworthy that the ten institutions report 645, out of 2,553 inmates, as being distinctly feeble-minded; that is twenty-five per cent. The examinations are fortified by the practical observation of the superintendents, teachers, and caretakers who deal with the inmates from day to day. In the great majority of cases feeble-mindedness is readily detected by the ordinary lay observer and we believe that the defectiveness of this group of twenty-five per cent. may be safely conceded.

With reference to the other group, of almost equal number (709 out of 2,553), reported as "morons" or borderline cases, there may be room for some uncertainty. It is possible that some examiners are disposed to classify as morons girls who may be considered simply as dull and backward but who are not properly to be classified as defectives.

We have not yet reached a clear and positive definition of defectiveness or feeble-mindedness; but we are inclined to agree with the view that those girls and women should be so classified who have not sufficient natural intelligence to perform ordinary tasks, after suitable instruction, without constant direction; who have not sufficient intelligence to make a bargain for their wages, to do simple shopping, or to make change; in other words, those who have not sufficient intelligence to maintain themselves and to direct their own lives, or those who have not sufficient will power to resist the ordinary temptations to which they are necessarily subject.

While for the purposes of this discussion we shall reduce by one-half the number of morons or borderline cases reported by the ten institutions, we are still inclined to the opinion that the number reported is little, if any, in excess of the actual number. We have been accustomed in the past to assume that the girl who is backward and dull but who is still capable of performing the duties of a chambermaid, a dishwasher, or a scrub girl with a fair degree of efficiency, is to be considered capable of controlling herself and directing her own life and to be held responsible for her failures; but we are gradually discovering that a girl may have considerable capability without either having the mentality or the will power which enables her to direct her own life. We find among the higher grades of the inmates of our institutions for feeble-minded girls who learn to wait on table, care for little children, read in the Fourth Reader, write a neat little letter, play simple tunes on the piano, dance, sing, and recite in a pleasing way, and yet who are found to be entirely incapable of supporting and controlling themselves in society.

Not only this, but the high-grade imbecile or moron girl of the type above described is one of the most dangerous members of society. Such a girl, giddy, vain, irresponsible, ignorant, unrestrained by the bonds of conscience or by fear of consequences, is easily led astray. She becomes a source of temptation, contamination, and infection to the young men and boys of the community and goes to join the ranks of thousands of her class in houses of prostitution. She reproduces her kind with twice the

fertility of her normal sister, and the larger part of her offspring inherit the vital weakness of the mother.

If we agree with the reports of the ten institutions already considered, that twenty-five per cent. of their inmates are feeble-minded, and if we divide by two the twenty-eight per cent. whom they report as morons or borderline cases, we shall still have thirty-nine per cent. to be classed as defectives.

The Census Bulletin Number 121 for 1910 on "Prisoners and Juvenile Delinquents" showed 48,503 women and girls in prisons, penitentiaries, jails, and workhouses and institutions for juvenile delinquents. If, as is probable, the same ratio holds good for these 48,000 women, about 20,000 of them belong to the defective class. The significant point about these 20,000 women is that every one of them is misplaced. Not one of them properly belongs in a prison or a reformatory. All of them should be in institutions designed for the care and treatment of defectives. They need a discipline and training radically different from that which should be applied to normal girls and women in institutions. It is not only impossible to give them the treatment which properly belongs to their condition, but their presence in the institutions interferes seriously and in some cases almost vitally with the proper treatment of the normal inmates with whom they are associated.

The normal delinquent girl needs to be developed spiritually, intellectually, physically, and vocationally; she needs to be stimulated, quickened, awakened, and established in right character; she needs to get new ideas of work and play, of social relations, and of personal life. She needs to have her conscience aroused and her sense of obligation renewed. She needs to be awakened to the significance of womanhood.

The defective girl is naturally incapable of apprehending these ideas. The reformatory discipline is a useless affliction to her. What she needs is a limited amount of school instruction to develop her limited mentality. She needs to be trained to simple tasks which she can perform efficiently under guidance. She needs wise and patient guidance with the minimum of "discipline". She needs outdoor work in the garden and in the field with plenty of simple recreation: indoor and outdoor games, dancing, music, and so forth.

The normal girl needs to be paroled under suitable watch-care before the expiration of her sentence; but it is useless to parole the feeble-minded girl. What she needs is provision of law whereby the question of her mentality can be decided by an expert commission and whereby, if she is found to be defective, she can be safely kept in an institution, at least during the child-bearing period.

The more carefully the subject is studied the more clearly it will be seen that the normal delinquent and the defective delinquent ought to be cared for in distinct and separate institutions.

The difficulty is that the institutional provision for the defective girl is entirely inadequate. As nearly as can be ascertained there are probably as many feeble-minded people in the United States as there are insane. We are now caring for 75,000 women in hospitals for the insane, and there are doubtless at least an equal number of feeble-minded women and girls, but we have institutional provision for only about 10,000 of them. As already indicated, we have probably, at the present time, 20,000 feeble-minded women and girls in penal and reformatory institutions. The States of New York and New Jersey have institutions for feeble-minded women, but they provide for only a fraction of the women of that class. The States of Massachusetts, New York, and Pennsylvania are taking the preliminary steps for the caring of this class of women, but it will probably be many years before such provision is adequate. In the meantime the reformatory prisons for women and the industrial schools for girls are choked up with delinquent girls who are also defectives. At the New York State Reformatory for Women at Bedford, the New York State Training School for Girls at Hudson, the Massachusetts Industrial School at Lancaster, and the Girls' Department of the Glen Mills Schools at Sleighton Farm, Darling, Pennsylvania, separate cottages are set apart for the care of defective girls. The trustees of the New York State Reformatory at Bedford are endeavoring to secure adjacent land for the building of a colony for the defective girls in that institution.

While it is more desirable that the defective girls should be cared for in distinct and separate institutions, it appears probable

that it will be necessary, at least in some States, to provide for them on the Bedford plan by establishing annexes or colonies in connection with existing institutions. This necessity exists for the reason that it is much easier to induce the legislature to make appropriations for the enlargement of existing institutions than for the creation of new institutions, and also because this plan can be prosecuted much more rapidly than the development of a new institution.

Your committee is therefore constrained reluctantly to recommend that where adequate provision can not be secured for the older defective girls in separate institutions, the effort be made to secure the establishment of colonies attached to existing institutions. In these cases, however, the department for defectives should be distinct and separate from the department for delinquents, and the department for defectives should be under the charge of an assistant superintendent under the direction of the general superintendent.

Whatever plan is adopted, it is indispensable that legislation shall be secured whereby power shall be given to some responsible tribunal to determine the question of mentality and to give to the institution the same control over feeble-minded patients that is given over insane patients, and to provide for the commitment of feeble-minded prisoners in the same manner as insane prisoners, namely, until cured.

(The foregoing report was signed by each member of the committee.)

THE OPERATION OF THE INDETERMINATE SENTENCE AND PAROLE LAW.

A STUDY OF THE RECORD OF EIGHTEEN YEARS IN INDIANA.

AMOS W. BUTLER, SECRETARY BOARD OF STATE CHARITIES, INDIANAPOLIS, INDIANA.

We have come to understand that men who are so lacking in self-control as to violate law need reformatory treatment rather than punishment. For humiliating, degrading, often brutal methods of punishment, once accepted as the proper accompani-

ment of a prison sentence, we are substituting mental, moral and industrial training, conditional release and after-care. We are attempting to protect society from crime by reforming the criminal. Better still, by adding daily to our knowledge of crime, we are attempting to prevent the conditions from which it springs. Infinitely more humane, more intelligent, is this newer method; immeasurably better are its results.

From its beginning, this Association has been the greatest single factor in this country in the improvement of prisons and the more rational treatment of offenders. It has been largely instrumental in the adoption of the so-called indeterminate sentence law, which is one of our most effective tools in the work of reforming criminals. Perhaps "indefinite" sentence is a better name, since the law prescribes the minimum and maximum terms for specified crimes. It is not a new thing. The underlying principle has long been in successful operation in our reformatory institutions for children. In more recent years we have begun to apply it to children older grown. Mr. Z. R. Brockway, in 1869, when he was in charge of the Detroit House of Correction, secured the enactment of what became known as "the three years law."¹ This has been termed "the beginning", and the bill before the Michigan Legislature of 1870-71, "the first attempted application in America of the profound principle of the indeterminate sentence system, which substitutes both in the laws and in prison practice reformatory in place of the usual punitive regime".¹ Mr. Brockway says in his autobiography that he was credited with originating the idea of this form of sentence and for a long time innocently accepted the credit, not knowing until years afterward that the plan had been foreshadowed and attempted in England as early as 1832.²

The first full, formal, public presentation of the scheme will be found in Mr. Brockway's notable paper before this Association, at its first meeting, Cincinnati 1870.³ Forty years later, the International Prison Commission met in Washington and the practical operation of the law in the United States was described to the

¹ Fifty Years of Prison Service, p. 126. Laws of Michigan, 1869, Chap. 145.

² Fifty Years of Prison Service, p. 133.

³ Ibid, p. 134.

⁴ Proceedings Nat. Congress on Penitentiary and Reformatory Discipline, 1870, p. 84.

representatives of the different governments after they had been given an opportunity to see it in actual practice in a number of institutions.⁴ It was inspiring to hear their discussions. When a final vote was taken, and we came to realize that there had been formally recommended for the world the same principles that had been adopted by this Association forty years before for the States of the Union, every American felt proud. We could realize as never before the beginning of the prophecy of Charlton T. Lewis, our late colleague and a former president of this Association, that the indeterminate sentence "is destined radically to change man's habits of thought concerning crime and the attitude of society towards criminals, to rewrite from end to end every penal code in Christendom and modify and ennoble the fundamental law of every State."⁵

It was not until 1897 that Indiana adopted the indeterminate sentence. In 1816, her Constitution declared that her penal code should be "founded on the principles of reformation and not of vindictive justice",⁶ but it was eighty-one years before these principles were enacted into statute law. The passage of the law was accompanied by a radical change in the state's prison methods. The legislative commission of 1895, which recommended its enactment, advocated at the same time the establishment of a reformatory for young men, the passage of a bill authorizing courts to suspend sentences and, finally, the absolute separation of prisons from politics. "Much, if not most, of the good that would come to our State by reason of the passage of the bills reported will be lost if the prisons * * * are not taken out of politics and the best and most efficient officers secured to manage and control them without regard to their political predilection." So reads the report. Reforms of this nature had long been urged by the Board of State Charities. They were revolutionary measures for Indiana, yet all became laws in the decade of 1897-1907.

In 1897, with the indeterminate sentence and parole law, came the establishment of the Indiana Reformatory. A classification of prisoners was effected by a transfer between the two state prisons

⁴ *Acts du Congress Penitenciaire International de Washington*, Oct. 1910. Vol. I, pp. 129, 130.

⁵ *Brockway: Fifty Years of Prison Service*, p. 132.

⁶ *Constitution, 1816, Art. IX, Sec. 4.*

whereby all the men under thirty years of age were confined in the prison at Jeffersonville (which became the Reformatory), all over that age in the one at Michigan City.¹ The exception to this rule was men convicted of treason or murder in the first or second degree, who regardless of age were retained by and thereafter sentenced to the State Prison at Michigan City. A later law provides that all men serving a life sentence shall be confined in the State Prison. This excludes two more classes from the Reformatory—those convicted of felony for the third time, or of rape upon a child under twelve years of age.

In 1899 the Reformatory board of trustees was made bipartisan. In 1905 trade schools were established and the labor of convicts was limited to the manufacture of goods on state account. In 1907 the legislature extended to all the state institutions what had long been in practice in most of them—uniform, non-partisan management and the selection of all employes on the merit system. That year, also, it authorized the establishment of a binder twine plant at the State Prison and it passed the suspended sentence and probation law.

I have mentioned this series of laws because they had much to do with the successful operation of the system of parole adopted in 1897. Under them the State has taken long steps toward the standard raised by the framers of our Constitution, that our law-breakers should not be made objects of vindictive justice but should be reformed. Our prisons are no longer political spoil. They are educational institutions, working out a scientific problem—the reformation of men. Only merit counts with the convict. Where merit is the test with the inmates, nothing else should be the standard in the employment and promotion of the officers.

Our indeterminate sentence law applies to men over sixteen years of age and women over eighteen years. With the exceptions mentioned, in which the sentence is death or life imprisonment, all persons convicted of felony are subject to its provisions. We hope some day to have it extended to misdemeanants. It has been in operation at the Reformatory and the State Prison since 1897, at the Woman's Prison since 1899. Such public opposition as de-

¹There were no women in these two prisons. They had been removed to the Woman's Prison in 1873.

veloped soon gave way to approval and support.¹ Its constitutionality was upheld by our Supreme Court in 1898. As first enacted, it provided that the several parole boards should include the superintendent, physician and chaplain of the institution in addition to the board of trustees. This is still in force at the Woman's Prison, but at the two prisons for men the board of trustees only, through an amendment which unfortunately overlooked the Woman's Prison, constitutes the parole board.

In considering the parole of a prisoner the boards are prohibited by law from entertaining any other form of application or petition than that of the prisoner himself. They are allowed a wide latitude in granting paroles and in withdrawing paroled prisoners from liberty.

I should like here to distinguish between the words parole and probation. There is much confusion in the use of these terms. I think I can give a definition of each with which we will all agree. Parole releases a man from prison conditionally, before the expiration of his maximum sentence. Probation saves him from going to prison at all. Parole follows such reformatory treatment as the State through its institutions is prepared to give its law-breakers. Probation assumes that some offenders do not need institutional treatment and that their interests and those of the State will be best served by saving them from the odium attaching to it. Paroles are granted by the institution management—at least this is the practice in Indiana, though some States have separate parole boards. The courts themselves place men and women on probation, to be sent to prison only in the event that they fail to live up to the conditions imposed.

You may want to know the method of procedure under our indeterminate sentence law. Let us assume that a man under thirty years of age has been indicted for petit larceny. The jury finds that he is guilty and that his age is so many years. The judge asks if he has anything to say before sentence is pronounced. He next says, "Having been found guilty, you stand sentenced under the law". The provision of law for this particular crime is not less

¹"Ten Years of the Indeterminate Sentence," Amer. Statistical Assn. Pub., Vol. XI, No. 81, p. 84. Transactions, Indiana State Bar Association, 1906, p. 403; 1907, p. 190. Report of Committee on Discharged Prisoners, Amer. Pris. Assn., 1902, p. 289.

than one nor more than eight years. Under the law a prisoner must be transferred to the institution within five days after sentence. He is taken there by the sheriff, receipted for by the superintendent and his institutional life begins. He is put through a course of physical, mental, moral and industrial training, in all of which he must pass a certain standard before he is eligible for parole. He can be released at any time after the expiration of his minimum sentence, if that is deemed the best thing for him and for society. The test is that he has faithfully kept the rules of the institution, that he has gained the confidence of the management in his ability to keep the law if conditionally released, and that his parole is not contrary to the public sense in the community from which he was committed. Effort is made especially to learn the attitude of the judge and the prosecuting attorney. If in view of all the facts the prisoner is deemed entitled to a parole, this is authorized. He is not released, however, until employment has been found for him. If his friends are unable to secure it, it is found by the state agents. The conditions of his parole are that he shall obey the law faithfully, shall not associate with bad company or frequent questionable or disreputable places and that he shall report regularly each month the amount of work he has performed, his earnings and expenditures, what reading he has done, and any other facts that will serve to indicate the manner in which he has spent his time and money, all of which must be certified by his employer. Failure to make this report or violation of any of the conditions of parole will result in his immediate return to the institution. If one has faithfully fulfilled his agreement of parole for one year, he may be unconditionally discharged by the parole board; or, if its members are not fully satisfied of his ability to live right on the outside, his parole may be continued from year to year, until such time, within the limit of his maximum sentence, as it sees fit to release him.

The methods of the two state prisons are substantially the same as those of the Reformatory. Each has agents to secure employment for paroled prisoners and to supervise them throughout the parole period. Few States, I am convinced, are giving sufficient attention to this important matter—the re-adaptation of the of-

fender to free life. Under this law the institutional treatment of the offender becomes an important part of the judiciary system of a State. It is of great value, if not indeed absolutely essential to the proper administration of justice that the judge shall visit each of the penal institutions and know what they claim to do and how they do it.

Now for results. The best test of a correctional institution is the fruit it yields. This first of all is the number of persons who can leave its doors and maintain themselves as law-abiding citizens under free living conditions.

The Indiana institutions have kept careful records of their paroled prisoners, and in recent years have sent a summary to the Board of State Charities every six months. On April 1, 1915, we completed eighteen years' experience under the law. In that period 9,034 men and women were paroled. Of this number 5,422 observed faithfully the conditions of their release and were discharged; the maximum sentence of 459 expired during the parole period and they were free from further supervision; 154 died; 618 were still on parole and were making the required reports. This leaves 2,381 to be accounted for. They are the delinquents, the unsatisfactory cases. They constitute 26.3 per cent of the whole number paroled. Sixty per cent of the number paroled were young men under thirty years of age. The proportion of unsatisfactory cases among this class, 25.7 per cent, was less than among the women, 28.6 per cent, and the older men, 27.2 per cent. These men and women maintained themselves during the parole period, and at the time they ceased reporting had on hand or due them \$454,416.25, an average of \$50.30 each. It should be clearly understood that all that is claimed for these figures is that they are a record of results for the time the paroled prisoners were under supervision, which was in few cases less than one year.

OPERATIONS OF THE PAROLE LAW—APRIL 1, 1897, TO APRIL 1, 1915—18 YEARS.

	Reformatory, Jeffersonville.	State Prison, Michigan City.	Woman's Prison, Indianapolis.	Total.
Served parole and given final discharge	3,211	2,078	133	5,422
Sentence expired during parole period	298	137	24	459
Returned for violation of parole	715	641	42	1,398
Delinquent and at large	664	288	31	983
Died	87	59	8	154
Reporting April 1, 1915	390	211	17	618
Total paroled	5,365	3,414	255	9,034
Percentage of unsatisfactory cases	25.7	27.2	28.6	26.3
Earnings of paroled prisoners	\$1,537,495 46	\$989,140 08	\$3,563 86	\$2,530,199 40
Expenses	1,306,256 32	767,658 97	1,867 86	2,075,783 15
Savings	\$231,239 14	\$221,481 11	\$1,696 00	\$454,416 25
Average savings	\$43 10	\$64 67	\$6 65	\$50 30

In this connection has been noted a striking fact in regard to the number of commitments for felony in recent years, and the daily average population of our state penal institutions. The former is less, the latter more, than when prisoners were sentenced for a definite time. Taking a period of twenty-one years, the ten preceding and the ten following the enactment of our indeterminate sentence law in 1897, I find a total of 7,539 commitments from 1887 to 1896, and a total of 6,632 commitments from 1898 to 1907, inclusive. They averaged 754 annually under the definite sentence, 663 annually under the indeterminate sentence. It means a decrease of 12 per cent annually in favor of the latter. It may be well to mention here that in the two decades from 1890 to 1910 the population of Indiana increased 23 per cent. That this increase in general population was accompanied by a decrease in prison commitments was probably not due wholly to the effects of the indeterminate sentence law, but it seems to me very significant.

In the prison population, on the other hand, the increased average daily attendance is no less significant. Under the definite sentence, our courts measured out so much punishment for so much crime. Having served his time, the prisoner was free to go. Under the present system of indeterminate sentence with parole, accompanied as it is with efforts at reformation, the average length of sentence is markedly longer. We have found from a study of

our State Prison records that 304 men committed beginning in 1890, for a definite time, served an average of two years and two months each. The average time served by the first 304 men committed after January 1, 1900, under the indeterminate sentence, for the same crimes, was six months and twenty-three days longer. The average time served by 304 men committed for the same crimes after January 1, 1906, was 1 year, 2 months, 5 days longer.

INDIANA STATE PRISON.

Table Showing Average Time Served Under Definite Sentence as Compared with Indeterminate Sentence.

CRIME.	Number Men.	AVERAGE TIME SERVED.								
		Definite Sentence 1890.			Indeterminate Sentence 1900.			Indeterminate Sentence 1906.		
		Yrs.	Mos.	Days.	Yrs.	Mos.	Days.	Yrs.	Mos.	Days.
Petit larceny.....	110	1	2	10	1	11	26	2	5	6
Grand larceny.....	77	1	10	12	2	10	13	2	11	26
Burglary.....	62	2	4	17	3	1	23	4	9	2
Assault and battery to kill.....	14	2	11	.....	2	6	1	3	6	2
Forgery.....	11	2	.....	27	2	2	23	2	8	10
Receiving stolen goods.....	6	.....	11	.....	1	3	11	3	6	15
Rape.....	6	2	3	10	3	1	.....	3	.....	9
Perjury.....	4	1	10	22	2	2	22	2	2	19
Manslaughter.....	4	1	9	.....	4	4	18	2	6	10
Arson.....	4	3	6	7	1	7	10	3	6	12
False pretense.....	4	1	6	7	1	9	20	2	6	9
Incest.....	2	1	9	.....	3	3	16	4	6	.....
Total.....	304	2	.....	2	2	6	25	3	2	7

A similar study of three groups of commitments to the Indiana Reformatory was made—the last 300 under the definite sentence and the first and second groups of 300 each under the indeterminate sentence. Compared with the first group, the second group served an average of 7 months, 14 days longer; the third group, 1 year, 2 months and 14 days longer.

INDIANA REFORMATORY.

Table Showing Average Time Served Under Definite Sentence as Compared with Indeterminate Sentence.

CRIME.	AVERAGE TIME SERVED.											
	Number Men.	Definite Sentence. (1)			Number Men.	Indeterminate Sentence. (2)			Number Men.	Indeterminate Sentence. (3)		
		Yrs.	Mos.	Days.		Yrs.	Mos.	Days.		Yrs.	Mos.	Days.
Grand larceny.....	60	2		22	50	2	2	14	69	3		22
Petit larceny.....	133	1	3		150	2	2		133	2	6	24
Forgery.....	15	2		27	10	2	8	7	15	3	2	19
Burglary.....	19	2		12	33	3	1	29	19	4	6	11
Robbery.....	9	1	10	21	3	3	3	14	9	3	4	19
False pretense.....	10	1	5	27	2	1		15	10	3	1	11
Manslaughter.....	3	4	7	20	8	2		22	3	3	5	14
Assault and battery.....	29	2	1	3	26	2	7	18	29	3	1	6
Rape.....	4	4	1	22	4	3	9	11	4	2	4	28
Perjury.....	2	1	9	4	2	2	6	2	2	2		28
Murder.....	3	2							3	3	1	25
Embossment.....	2	1	4	1					2	1	6	23
Blackmail.....	1		11						1	1	6	29
Incest.....	1	3	9						1	2	11	9
Arson.....					2	1	9	1				
False claim.....					1	2						
Receiving stolen goods.....					4	1	3	24				
Seduction.....					1	2	4	3				
Bigamy.....					1	2		10				
Entering house to com- mit felony.....					2	3	11					
An accessory after the fact of manslaughter.....					1	2	2	11				
Total.....	300	1	8	22	300	2	4	6	300	2	11	6

- (1) Last 300 commitments under definite sentence.
- (2) First 300 commitments under indeterminate sentence.
- (3) First 300 commitments under indeterminate sentence after January 1, 1906.

The records show that in 1887 the three state penal institutions had an average daily population of 1,225. Ten years later it was 1,617. The decade from 1898 to 1907 began with an average of 1,782 and closed with 2,243. The increase year by year from 1887 to 1907 averaged 50.

More recently both commitments and average daily population have shown the effects of our adult probation law of 1907 and the establishment in 1911 of our hospital for insane criminals in connection with the State Prison. For that reason I have included no statistics after 1907 in the comparisons given. Aside from the insane, however, there are other mental defectives in prison. Of course they should not have been sent there. They are a refractory element and they form a residuum which tends to increase the

population and also the average length of imprisonment. The defectives for which reformatories are intended are those who are lacking and who need treatment and training and discipline, to fit them for free life.

One day last August I visited Mr. Brockway at his home in Elmira. He is now approaching the age of eighty-nine years. I asked him to think back over the forty-five years that have elapsed since the presentation of his memorable paper at the first prison Congress in 1870 and to tell me in a few words how in the light of the years that have passed he now views the indeterminate sentence and parole law. His statement was: "I presume that no high ideal is ever completely realized. Nowhere yet has the principle of the indeterminate sentence, pure and simple, been enacted into law. Nevertheless I am as firmly convinced as ever that it is the true principle under which offenders should be committed for institutional treatment. When, later, as must be, the present lackadaisical, fanciful, obtrusive sentiment about offenders is replaced by passionlessness, neither vindictive nor lovelorn—a firm, noble, corrective system of laws and prison administration established and allowed, then, surely, the *full* indeterminate system will be adopted and under it offenders will be cured or continuously restrained."

DISCUSSION.

Representative from South Dakota: Is the prisoner eligible to parole when he has served his minimum sentence?

Mr. Butler: No, sir. When he has served his minimum sentence, if he has also satisfied the board of trustees he is worthy and if it is not contrary to public sentiment in the community from whence he came, he may be paroled.

Question: But under the law he is eligible when he has served his minimum sentence?

Answer: No, sir; because many of those persons while they may have a good prison record and while they may have served

their minimum, may at the same time not have gained the confidence of the board.

Question: Does the board fix the maximum?

Answer: The maximum is fixed by law.

John B. Hebbard, Deputy Prison Commissioner, Boston: Is there a definite time to which a prisoner can look forward to apply for parole and appear before the board?

Answer: In the State Prison after a man has served his minimum sentence he may apply at any meeting of the parole board. In the Reformatory after he has served his minimum sentence and has kept the rules of the institution he is permitted to appear before the board for consideration. If he fails to secure a parole, he may appear at some future date to be fixed at the discretion of the parole board. He does not apply any time as at the State Prison. The rules are different.

Question: Does that apply to a second term?

Answer: A second offender is as likely to be eligible to parole, other conditions being equal, as a first offender, but the chances are that other conditions will not be equal, because second offenders do not measure up to the first offenders. A third sentence for felony would mean a life sentence in our State.

Mr. Hebbard: Your prison population has increased. Has the length of term increased under the indeterminate sentence?

Mr. Butler: The average length of stay is longer than under the old system of definite sentence, but this is in a measure due to the mental defectives who are not eligible to parole. They are a refractory element that constitutes a residuum in the prison population.

Question: How is the law regarded by the prisoners themselves, beneficial or otherwise?

Mr. Butler: That depends upon the prisoner. The man who is hopeful and wants to get out regards it with favor, but the

repeated offender would like to get away from the State that has an indeterminate sentence.

Representative from South Dakota: I think you did not understand the question put to you by my associate with reference to the termination of the sentence. In our State we have the indeterminate sentence law. Suppose a judge sentences a man to not less than five years nor more than ten years. The question is, when do you understand that the board has the right to say what his definite term shall be? In our State it is at the time he is eligible to parole. We are not talking about his conduct in the prison. But under the law he is eligible to parole when he has served one-half his minimum. Then our board fixes what his term shall be, whether it shall be 5, 6, 7, 8 or 9 years or the maximum of ten years. In your discussion and explanation of the operation of the law in your State, you did not say whether your board fixed the definite time.

Mr. Butler: No, it does not fix any time. Suppose a man is sentenced on a petit larceny charge for one to eight years. If he has been a good prisoner and kept the rules fully, has satisfied the board that he can obey the law, has secured a place of employment and it is not contrary to public sentiment in the community from which he was sent, he may be paroled at the end of one year and finally discharged any time after he goes out. Usually the parole is cancelled at the end of one year.

Question: The board then fixes his time at two years, and he is released?

Mr. Butler: It does not fix any time.

Delegate: Our board does. I understand in the State of Wisconsin the Supreme Court has held a man must serve his maximum. Whenever they parole him he must remain as a paroled prisoner through the maximum.

Mr. Byers (to the representative from South Dakota): When one of your prisoners, having served one-half his minimum, comes before your board, being eligible for parole, is it then the custom

of your board to say to the prisoner, we will now fix your sentence at six, seven or eight years, giving him a definite idea of how much longer he has to serve?

Answer: We may do so.

Albert H. Votaw, Secretary Pennsylvania Prison Society, Philadelphia: Does the indeterminate sentence apply to those who serve in county prisons?

Mr. Butler: No; we hope to have that some time.

Mr. Votaw: That is where we do have "one over you" in Pennsylvania. I mention this because you are in advance of us in so many other lines. I think you said 26.3 per cent. of those who have been paroled have in a way failed. I think that corresponds very generally to the percentage elsewhere. How many of those have been returned to the prisons? I do not understand they are all at large.

Mr. Butler: No. The published report gives the number of parole violators at 2,381, of whom 983 are at large.

Mr. Votaw: I suppose the number of delinquents will correspond to the number of failures in Pennsylvania. A man may be returned for some delinquency, such as getting drunk or refusing to work. The newspapers often make a great howl about letting prisoners out and the harm they do. Only two per cent. of the entire number in Pennsylvania have been returned on account of crime; the others on account of some other delinquency or having failed to meet some of the conditions of parole.

Mr. Butler: The percentage of those not returned is very small.

W. H. Whittaker, Occoquan, Virginia: I was fortunate to be connected with Indiana's institutions when a good many of those statistics were compiled; yet for the final results we know nothing and this Association in my judgment ought not to rest until there is a central bureau of identification—the finger print, for instance—in this country, so we may know how many of these men, the

75 per cent. who apparently make good, are today in some other institution.

Mr. Byers: The Government should establish a bureau to collect all of the statistics concerning these important questions for all of the States, such statistics as Mr. Butler has given us and such as I secured several months ago from Massachusetts concerning the criminals in that State.

Question: Is this law optional with the judge in Indiana?

Mr. Butler: No, sir; it is compulsory.

Mr. Byers: In the State of New Jersey the law now reads: "no man shall be paroled from the State Prison until he shall have given satisfactory evidence of a purpose and ability to live at liberty without violating the law."

Question: Is it necessary to have definite and fixed employment for a man before he can be paroled? Do you find any disposition to in a way "peon" the men or take advantage of their situation?

Mr. Butler: The whole thing is a matter of education. Theoretically no man is released until he has employment. Sometimes we have difficulty in finding employment. Sometimes we have a man who in a way is defective; he is old, perhaps a cripple. We can not get a place for him. We let him serve out his parole period in the institution or about the grounds. But with few exceptions every man has a job before he goes out. We do find employers who once in awhile impose upon a prisoner and he has either to be returned or transferred to another place. But the attitude of the public has wondrously changed in the last eighteen years. At one time the newspapers spoke of it as "the rose water manner of punishment". At a meeting of the State Bar Association at one time the law was assailed. Then it appointed a committee of five to investigate and report, after which it voted in favor of the law. Public sentiment is back of it now; the people believe in it. I have known of persons having from eighteen to twenty paroled men in their employ. Of course once in awhile they are disappointed and then they will not take any more for awhile.

There is one thing which is a great help to us. For twenty-five years the churches of Indiana have observed the last Sunday in October as Prison Sunday. The preachers generally throughout the State preach on the subject of the prisoner, his needs and his need of a friend, the causes of crime and preventive measures. Several hundred ministers all over the State on a certain Sunday preaching that gospel have been a great power in the backing of our prison administration.

Mrs. Booth: I want to ask how much your board is influenced by the sentiment of the community from which a man comes and how it determines that sentiment? When does a man receive his final discharge? How does he get his citizenship back? Is it at the whim and pleasure of the Governor or can the board make a recommendation on which the Governor acts?

Mr. Butler: It is not a matter of law, but the three principles which should underlie the parole of every man, we believe, are these: that he has kept the rules of the institution; that he has secured the confidence of the board of managers in his ability to live a free man; that it is not contrary to public sentiment in the community from which he came. We always ask the judge and the prosecuting attorney of the county from which the man came, for their recommendation regarding every prisoner. In addition, if there is any difference of opinion or if any additional information is wanted, letters are written to a number of prominent citizens. If any question still arises, a special agent is sent into the county to investigate. It often happens the feeling is so strong against a man that it is best for him not to go back. He may be paroled some distance from the place where he was sentenced. It is the man we are looking after.

As a rule the men are given final discharge after they have been on parole one year. There are exceptional cases where the board is not absolutely certain, and such men remain under supervision for longer periods. Sometimes when a man has less than a year of his maximum sentence to serve it is felt it is better to give him the last six months outside the institution so he may get

adjusted, rather than keep him until the final date. Such men are automatically released at the expiration of their sentence.

Regarding citizenship, it is very seldom in our State that a judge disfranchises a man in addition to giving him a sentence. Of course he is disfranchised while in the institution, but the sentence of disfranchisement is very rare and when given of course it is effective until revoked. Once in awhile such cases are taken up by the Governor and he revokes the sentence of disfranchisement.

Question: Do you have a parole officer in Indiana?

Mr. Butler: Yes, half a dozen.

Question: Are they state officers?

Answer: They are officers of the respective institutions—state officers.

Question: When a man has broken his parole and must be returned, does the board of trustees or the parole officer have full charge? Can a parole officer return a person?

Mr. Butler: The rules of the institution specify the things a man shall not do when on parole. When he has violated the conditions of his release, he may be returned by the parole officer. The returned man is heard by the board of trustees. If he can satisfy it that he has been improperly returned it will release him.

Adjourned, 10 p. m.

TUESDAY MORNING SESSION.**Auditorium Oakland Hotel, 10:15 o'Clock.**

The Tuesday morning session convened at 10:15 o'clock, with President Byers presiding.

W. H. Whittaker, Occoquan, Virginia, presented two resolutions, as follows:

Resolved, That in conformity with the actions of this Association advocating the indeterminate sentence law, we desire to reiterate our belief in that principle and to emphasize the importance of the enactment of laws in all of our States that will apply this principle to misdemeanants and short-term prisoners.

Resolved, That the American Prison Association reaffirms its belief in the establishment of a Central Bureau of Identification, to be organized and maintained by the National Government in Washington, and for the purpose of bringing this matter to the attention of the proper authorities, the Committee on Organization is instructed to name a committee of five (5) members who shall report at the next annual meeting of this Association the results of their efforts.

President Byers: These resolutions are referred to the Committee on Resolutions.

President Byers: This session will be under the auspices of the Wardens' Association, of which Arthur Pratt, of Salt Lake City, is president. Mr. Pratt, as you know, is warden of the State Penitentiary at Salt Lake City, Utah.

WARDENS' ASSOCIATION.

ADDRESS.

ARTHUR PRATT, PRESIDENT, SALT LAKE CITY, UTAH.

It might perhaps not be out of place for me at this time to offer a few suggestions with regard to the classification and segregation of convicts. I think most of us will agree that the plan of segregating convicts by placing them in separate cells so that they may at no time mingle and commune with each other is not in consonance with modern ideas of treating prisoners. While it is true that by that method we may keep first offenders and those who might perhaps yield to proper methods of reform from coming into contact with the hardened, and in most instances confirmed and vicious criminals, yet segregation may as well be accomplished by classification and by separating the several classes from each other. Experience, I think, has taught that it is better to permit those in any one class to mingle and commune freely with each other than it is to separate the individuals into cells. By careful observation, I have found it quite possible to classify the new convict within a reasonable time; that is, to determine whether he is a hardened and confirmed criminal or whether he is amenable to reason. The difficulty, however, is that in most prisons there are no means provided by which we can segregate the convicts into classes and thus entirely keep the classes from mingling, and yet give each class sufficient outdoor sunlight, and room for exercise within the prison walls. While it is not difficult to segregate all those who may be trusted to go outside of the prison walls into a class, yet there are a few young convicts who can be trusted and who, nevertheless, should not at all times be permitted, much less required, to mingle with the so-called trusties. Everyone whose duty it is to observe and care for convicts knows that too much care and attention cannot well be given to the young, and especially to the first offender. Whatever number of that class we are able to reform is clear gain to the State and to society. While now and then a repeater or a so-called recidivist may be

reformed, yet in my opinion where one of those is reformed we, by proper segregation, could reform and save from a criminal career dozens of the young criminals, and especially of the first offenders. In order to accomplish the best results it would, no doubt, be better if different institutions or prisons could be maintained in different parts of the State for each class so that the several classes could not come into actual contact. That, however, seems impossible in new and undeveloped States like my own in view of the cost of maintenance. Something might, however, be accomplished by the erection of a separate building in which first offenders could be kept and which might be so arranged and maintained that they at no time would come in actual contact with the other classes. With us, all convicts are classified into first, second and third grades. All those who may be trusted are of course in the first grade, while the confirmed criminals, so long as they manifest vicious tendencies, and those who commit some serious offense against the prison rules or laws, are placed in the third grade. All others are placed in the second grade. All convicts, when they first arrive at the prison, are placed in the latter grade, and by their conduct either go forward into the first or backward into the third grade. If the second grade convicts could thus be entirely kept apart from the third grade, and those in the first grade from the other two grades, much good could be accomplished, and, in my judgment, many first, and even of the second grade convicts could be reformed and kept from drifting into criminal careers when they leave the prison. In that regard we do the best we can in making trustees out of first offenders and in giving them such liberties as it is possible to give them under the circumstances prevailing in our prison. Many of them are paroled, but for obvious reasons not all can be provided for that way. Nor is it, in all instances, the best thing to do.

We have, however, a somewhat rough method of classification by selecting convicts for our road camps. We have, in the last four and one-half years, constructed approximately seventy-five miles of public roads in different parts of the State. Of course in maintaining a road camp the convict cannot be kept in a cell nor

yet within prison walls at night. We, however, have provided what is termed a stockade, from which it is more or less difficult to escape at night. Such a stockade is quite as necessary to curb the temptation to escape as it is to actually prevent escapes. We, ~~however~~, have had only fourteen escapes in four and one-half years, and all of those except five have been returned to the prison. Of course we do not select what we know to be confirmed and dangerous criminals to work upon the roads. Notwithstanding that we have, in several instances, discovered that some whom we regarded as most desperate criminals have proved thoroughly stable and reliable when given an opportunity to work upon the highway. As a matter of course, we make it an object for prisoners to go to work upon the highway and, after going, remain faithful by allowing them a substantial reduction from their time of service.

The convict, under our statute, who obeys the rules of the prison and the laws of the State may, by the board of pardons, be allowed a commutation of two months for a one-year sentence, three months for the second year, four months for the third year, five months for the fourth year and thereafter six months for each year for a longer sentence. In addition to the foregoing, the convicts who work upon the highways and are faithful to their trust receive an additional reduction of one-third, or four months in each year of road work. A long-time convict may thus reduce his time materially if he remains faithful, and nearly all of them who are selected to work upon the road remain so. But in addition to the foregoing convicts we have some who are sentenced for life who willingly and faithfully work on the highway, and no doubt their faithful services, in course of time, will be rewarded by the board of pardons, in whom is vested full power to commute the sentence of any convict for good cause shown. We are now working, however, under the indeterminate sentence law, under which the board of pardons determines the length of time which, in their judgment, the convict should serve. The sentence of each is, therefore, terminated when, in the judgment of the board, he has served sufficient time to justify its termination and when they think he has sufficiently reformed so that he

will not drift back into criminal life as soon as liberated. In determining the length of sentence, however, the rules of commutation before referred to are, nevertheless, still kept in view by the board of pardons.

Of the miles of road constructed in the years before stated, ten miles are concrete roads and the rest is what may be called macadam and gravel. The approximate cost to the State of constructing the roads I have mentioned was about ten cents additional per capita in excess of what it would have cost the State to maintain the convicts at the prison. All the roads that have been constructed are first class of their kind, and the average number of convicts who have worked on the roads is sixty-six. I am thoroughly convinced that every convict, in whatever class he may be, should be required to work a given number of hours at some useful employment. Their quarters—that is, their cells—should be provided with the best system of ventilation and each convict should be required to keep his cell scrupulously clean. They all should be given plenty of outdoor exercise, and their food should be clean, substantial, well prepared and wholesome. Those who are confined should be given a vegetable rather than a meat diet. Some meat, of course, may be given to all at proper intervals, but too much meat for those who are confined is not conducive to health. We have demonstrated that proper food and plenty of sunshine and outdoor exercise is a safeguard against disease. Our hospital records prove that fact beyond peradventure. The principal ailment of a serious nature in our prison has been appendicitis. We have had, comparatively speaking, a large number of operations, but have had no deaths from that cause, while the recoveries from the operations have been much more rapid than is usual in our best hospitals. Other ailments are, as a rule, only of short duration and yield readily to the treatment of our prison physician. In fact, the health of our prison population is as good and I think better than the health of an equal number of our general population regardless of calling or condition.

Mr. Pratt: I now take pleasure in introducing to you Hon. J. E. Frick, Judge of the Supreme Court of Utah.

CRIMINALS AND THEIR PUNISHMENT.

HON. J. E. FRICK, JUDGE OF THE SUPREME COURT OF UTAH.

Much has of late been written by both experts and laymen concerning criminals and their punishment. The same subject is treated under variant texts. By most people it is believed, or at least assumed, that both crime and criminals are on the increase and that the courts, in view of a very defective criminal procedure, are unable to longer successfully cope with the modern criminal. The theories concerning the causes of crime and why men become criminals, and the effect of punishment and the methods of reformation are almost as numerous as are those who write or speak upon those subjects. There is perhaps little that is really new which can be said at this time with respect to the subject.

While I have read what I deem to be the best authorities upon the subject and have given it much thought and reflection, and withal have had considerable experience and have come in personal contact with criminals as a member of a board of prison corrections, as a member of a board of pardons, as well as a practicing attorney and a justice of a court of last resort, yet what I shall say here I do at the request of my friend the Hon. Arthur Pratt, warden of the Utah State Prison, and it is merely as an humble observer and reflects only my individual views and impressions.

I have found not a little difficulty in determining why a certain percentage of the community drifts into crime and why it is that some who possess more than ordinary intelligence prefer to live criminal lives. Whether right or wrong I have become firmly committed to the theory that normal human beings, when acting under normal conditions, rarely commit crime, and more rarely still become confirmed criminals. As I view it, men commit crimes because they are morally abnormal and because their environment is more or less so. No doubt all of us will agree that what distinguishes man from the brute creation is his moral force or what we may call his moral nature. A normal man or woman, therefore, possesses a moral nature, and it is the relative quantity of this moral force, if I may so call it, that distinguishes the law-abiding from the lawbreaking individual. If all men were morally strong,

that is, morally normal, we should have to deal only with what may be termed accidental or occasional offenders. The theory of the theologian, and the one which has been generally accepted and has become imbedded in our criminal laws, is, that man is a free moral agent and that when he commits wrong he does so wickedly, wilfully and maliciously. In other words, he prefers to do wrong and could refrain from committing the crime if he so willed it. As I view it, however, a certain per cent. of the human race is born with either a very weak moral nature or with one that is deficient in moral force. No doubt we all concede that a certain per cent. of the human family is born physically abnormal and that a certain per cent. is likewise born mentally abnormal, but we may not all agree that a certain per cent. is also born morally abnormal.

Now, if we carefully observe the physical abnormalities we shall find that they range all the way from the congenitally deformed cripple to one of whom it requires the most careful examination of an expert physician to detect the physical defect. What is true of the physical is likewise true of the mental or intellectual defects. While all of us readily perceive the abnormal condition of the born idiot or the raving maniac, we entirely fail to detect what may be called a mere lesion or some latent defect, but which, nevertheless, may develop into serious consequences. The mental defect may thus be so concealed that it will require the efforts of a profound alienist or of a mental expert to discover that there is in fact an abnormal mental condition. The same observations apply to the morally abnormal. We find them ranging from the confirmed criminal who is without moral force to the one for whose acts we find it difficult to account. The per cent. of human beings who are born with a more or less pronounced moral defect and who are thus morally abnormal may run all the way from one-tenth of one per cent. to one-half of one per cent. of the entire number born. In my judgment it is as certain that they are born morally deficient as it is certain that they exist. They are either born with what may be called a tendency to commit crime or wrongs precisely the same as some are born with a tendency to acquire certain diseases while others are born with a tendency to

become disordered in their minds in case of physical sickness or of some calamity or of some other more or less strongly exciting cause. No one would harbor any other feeling than pity for any person whose physical condition was such from birth that he would be afflicted with certain kinds of diseases which would entail much suffering upon him. Again, the normal man or woman whose sympathy would not be enlisted in favor of the unfortunate being who, through some congenital weakness, loses his reasoning faculties, would almost suffer ostracism by our modern society. From an observation and experience reaching back for several centuries we have learned to properly classify the physically, as well as the mentally, abnormal; and we have further learned that both may be born with a more or less strong inherent tendency to develop the abnormal conditions with which they are, or may become afflicted. For some reason, however, we persist in looking upon the criminal as a normal human being and therefore we not only in the strongest terms condemn his criminal acts, but we likewise execrate the man. It certainly is commendable for any of us to condemn crime and wrongdoing whenever and wherever found, but it may not be as commendable, morally at least, to also condemn the individual wrongdoer. Morally we should carefully discriminate between the act and the actor. No sane man would condemn the maniac although he may most strongly deprecate his acts or conduct. By this I do not mean that the criminal should not be held legally responsible for his acts. Sheer necessity requires that that be done. We must, however, view crime and wrongdoing from a humanitarian and a practical, as well as from a legal standpoint. So regarding it we shall have no difficulty in dealing with it and in understanding why some men commit particular crimes and why others at times surprise us by committing serious wrongs.

Let us ever bear in mind that the midnight burglar, the robber and hold-up, the sneak thief, the rapist, and some others, are entirely lacking that moral force which makes men law-abiding. They, like the man with a tendency to acquire disease, are born with that tendency and they gravitate toward a criminal life as naturally as he who is morally strong avoids it. If we pursue this point of view to its logical conclusion, we shall find no great difficulty in

determining what to do with those who commit offenses either great or small.

If men are thus born with a moral weakness, it should be the first duty of the State to strengthen that weakness if possible; and if it is not practical to do that, then to make the consequences flowing therefrom as small as possible. The burning question, however, is how may we strengthen the morally weak? Of course, all will agree that this may best be done when the individual is still young and has not passed the formative period of his life and before his criminal tendency has become fixed. A change of environment, with a proper amount of work to do, supplemented with a reasonable amount of proper education would prevent many from drifting into criminal lives. In my judgment these things would prove a very effective preventive. As soon as the moral weakling is discovered our first efforts should be to overcome his weakness before it forces him into an active criminal career. This can only be done by proper training and by an environment where temptation to go wrong is minimized if it cannot be entirely eliminated. Of course, in actual life it is impossible to avoid all temptation, but the morally strong can and will resist it. It is those who are morally weak that require assistance, and the sooner some practical assistance is given the more effective it will be.

I entertain little hope of ever reforming a confirmed criminal. Much may, however, be accomplished with first offenders in that regard. But it is exceptional indeed that a repeater, or one who has made the rounds of the state penitentiaries, is reformed. Sooner or later he will again drift back into his old habits for the simple reason that he lacks the moral force to resist his criminal propensities, which are always active. Then there are a certain number of so-called criminals who are not really criminals. They are indeed offenders, but they offend not because they are naturally inclined to commit crimes but because of some condition they were powerless to avert and were equally powerless to avoid the act complained of. There are many men who commit sexual offenses, other than rape, who otherwise are very good citizens. They commit the offense in question because a situation confronted them they did not, for the time being, possess the power to meet.

There are others who commit various offenses who would not commit them except when their moral force or power of resistance is lessened or deadened through the use of alcohol or through the use of some drug on the one hand, and when their passions are unduly aroused or stimulated by the alcohol or drug upon the other. Very few of that class are natural criminals, and yet they have committed, and in the nature of things will continue to commit, crimes. Much might be accomplished if, after conviction, such offenders could be given some useful employment in some state institution other than a regular state prison where the more hardened criminals must be confined and with whom they thus must come into contact. Perhaps some method by which sentences could be suspended by a board would, in many instances, also be effective. Paroles in such cases are also to be commended.

Every superintendent or warden of a state prison well knows that there are a certain number sentenced to the state prisons that it were better if they could be placed elsewhere. Those officials are powerless, however, to do much for such unfortunates under the ordinary prison rules and discipline. If the prisoners could be separated into classes and could be put to work, and the classes kept entirely apart, much could be accomplished for first offenders and for what may be called accidental or occasional criminals by way of reformation. That is, in many cases the mere fact that the offender was convicted and sentenced to a penal institution has a sobering and strengthening effect, and is sufficient to induce at least some of that class to thenceforth refrain from committing crime.

In view that there are some among those who are sentenced to prison who have a sincere desire to avoid further crimes, there are many, among which number are some prison officials, who have conceived the idea that all men are the same and since some can be trusted all may be, and, therefore, all that is required to reform the criminal is to place unrestricted trust and confidence in him. That is, all that is needed to reform him is to call him a man of honor and, presto change! he becomes a man of honor. Such a method of dealing with confirmed criminals is as pernicious in practice as it is illogical in reason. It treats an abnormal human

being as though he were perfectly normal. The result is precisely what one acquainted with the real condition might expect it to be, namely, that it sets at large the most dangerous criminals we have to deal with. All such, most of us know, are animated by no other spirit than that the world owes them a living and hence they think it only just that they should prey upon organized society. It does not follow that because there are some convicts who may be trusted therefore all may be. Nor does it follow that because there are two men both of whom actually deplore their conviction and express a desire to be trusted that both may be. One of them may possess sufficient moral strength to refrain from committing further crime while the other makes promises and protestations for the sole purpose of obtaining his liberty to the end that he may have a further opportunity to prey upon his fellow men. The necessary moral force which makes promises worth anything while present in the first instance is entirely lacking in the second, and hence disappointment must and will follow. I have become thoroughly convinced that the general or indiscriminate application of the so-called honor system to convicts is more than a delusion and a snare. It is a crime against organized society. Moreover, it is of no practical benefit to the real criminal himself. Just as soon as he is placed in a position of trust his natural propensities begin to tempt him to escape, and if he is a real criminal those propensities generally prevail. To thus deal with that class is merely to tempt them. It is unjust both to society and to the criminal to do that. All those are criminals because they possess no sense of honor, and hence the reformer who thinks he can bestow that which nature has withheld is always doomed to disappointment. To say to the confirmed criminal "Go, I trust in your honor", is a mere waste of confidence. No man can yield that which he does not possess. No one, not even a reformer, can breathe honor into a rogue. Criminals are not converted into men of honor overnight. Some reformers seem imbued with the theory that all that is necessary to convert a criminal into a man of honor is to convict him and then tell him that you place full confidence in his supposed integrity. It is a most potent truth that mere sentiment is wholly out of place when we are dealing with real criminals. One ounce

of practical common sense is worth more than a pound—I almost said more than a ton—of mere sentiment. But it may be said that if my theory that men are born with a tendency to commit crime is correct, then we have no moral right to punish them for doing what by nature they are practically forced to do. This, though logical on its face, in practice becomes sheer nonsense. All of nature's laws are as practical as they are immutable. If a child approaches too near to a redhot stove it will be burned whether it could have avoided the stove or not. The man who is forced into a bitter cold night suffers precisely the same as though he had gone there voluntarily and the consequences may be precisely the same, namely, a severe cold or, perhaps, what is worse, pneumonia. Moreover, we do not permit the dangerously insane to go at large because it is no fault of theirs that they are irresponsible. We are practical in dealing with those. We make them harmless by depriving them of their liberty. The criminal has the same, but no higher rights than have the dangerously insane. The criminal is as dangerous to society as the lunatic and for the same reason should be made harmless. We, therefore, not only possess both a moral and a legal right to make both the criminal and the insane harmless but it is our duty to do so. The difficulty we encounter is to discover, arrest and convict the real and dangerous criminal. While the dangerously insane usually disclose both their presence and their weaknesses, the dangerous criminal too often succeeds either in evading the authorities, or, if that fails him, he in some way and by some means prevents his own conviction. It may be that our criminal procedure has become too cumbersome to successfully deal with the dangerous and confirmed modern criminal. It matters not who is accused or how many crimes the accused has committed, he is presumed guiltless. Moreover, we presume him to possess a good moral character until he himself sees fit to put it in issue. We treat all men as though they were truthful and incapable of doing wrong. Now, all those things are fundamentally sound and no good, conscientious judge or lawyer would consent to dispense with any of them. They are necessary safeguards which a well ordered society cannot well do without. The only criticism • I have to offer is, that in our courts of justice they are not always

applied in a practical, common sense way. Crimes, and especially those we most abhor, are usually committed under cover of night. They are committed at times when honest men are not present and in places where their eyes cannot penetrate. The evidence of guilt is, therefore, not always conclusive. Much must be left to inference from facts and circumstances. Laymen shrink from convicting men unless they feel morally certain of their guilt. The rules of law and evidence, as well as the rules of presumptions, are very often misunderstood and misapplied by our ordinary juror. Astute counsel harp upon those things until the minds of the ordinary jurors become confused, and thus many a hardened criminal escapes conviction. Then again criminals are migratory birds. They cannot remain in one place very long. Just as soon as it is known that they are criminals they must seek new fields. If, therefore, one of their number is apprehended and convicted, usually the court and the officials who try him know little or nothing concerning his previous criminal career. Many a hardened criminal, therefore, receives only a short sentence, and in most of our state prisons a very liberal allowance of time is given for good behavior while in prison. "Good behavior" means no more than that the prisoner shall not violate the rules of the prison. It is not a very hard matter for the ordinary criminal to comply with those conditions, and hence many a dangerous criminal escapes his deserts. The rules of law and procedure referred to, when thus applied, also have a tendency to prevent the conviction of the migratory and dangerous criminal, while they usually lead to the conviction of the local tyro who, generally, has been guilty only of some minor, or at least not particularly harmful offense.

I can see no escape from such results so long as our criminals are tried by inexperienced prosecutors and by jurors who are equally so. If the criminal could be tried only by experienced prosecutors and by thoroughly trained jurors who possess both the ability and courage to weigh and apply the evidence and to find the facts in accordance with their convictions, we should have fewer farces in our criminal courts. Nor should the trial courts be permitted to determine and fix the punishment. All they should be required to do is to sentence the accused, when convicted, to imprisonment.

A competent board with ample time to investigate and inquire into the prior history of the convict, and with ample opportunity to learn his disposition and inclination, should determine and fix the duration of his incarceration. Convicts with a criminal record could thus be made harmless for at least a long term of years, while first offenders and accidental and occasional criminals could have their sentences terminated whenever, in the judgment of such board, the interests of society as well as those of the criminal would be best subserved.

In no case, however, should imprisonment be imposed or prolonged for the sole purpose of inflicting punishment. The State should be above mere vengeance. First offenders and accidental criminals should, if possible, be employed at some useful occupation and should be given all the liberty consistent with prison discipline. Dangerous criminals should be required to do some work each day, but they should be kept in such a manner as to make their escape as nearly impossible as that can be done. All the prisoners should be given plenty of air, sunshine and exercise whenever possible. No one should suffer solitary confinement except as a matter of necessity; that is, to enforce discipline and to make him harmless and not merely as a punishment. And when placed in solitary confinement it should be in a properly ventilated cell.

Finally, no convict should be left without hope of some time regaining his liberty. All convicts should be thoroughly impressed with the fact that their terms of imprisonment largely depend upon their own conduct and disposition. They should be given to understand that they are imprisoned because they have proved to be a danger and a menace to society and that whenever the governing body having control of their terms of imprisonment is convinced that it is safe for them, or any of them, to be set at large, such an order will be made forthwith in each case. While the confirmed criminal and the repeater should not be left without hope, yet they should be given to understand that they must convince the board of their good intentions by their daily life and conduct and that their promises and protestations can be given little, if any, effect. On arriving at the prison each convict should be given to understand that punishment is a mere incident of his con-

finement and that the real reason he is and will continue to be deprived of his liberty is because he is unsafe to be permitted to be at large the same as law-abiding men.

Now, there are many who seem to believe, or at least affect to do so, that crime and criminals are on the increase and that such increase is largely, if not entirely, due to the fact that the punishment of criminals is not sufficiently severe. The belief is based upon the theory I have already adverted to, namely, that man is a free moral agent and thus must be deterred from committing wrong by punishing him. Now it may be that fear of punishment deters a few from committing crime. The real criminal, however, and the ordinary offender never thinks of the matter of punishment at all. The real criminal, as a matter of course, expects to escape detection and conviction, and that is the hope and belief of nearly all offenders. Men with strong criminal tendencies are not easily deterred from committing what their very natures constantly crave. In my judgment there is nothing to the contention. The certainty of being apprehended, tried and convicted—if it could be made certain—would go much farther towards deterring men than would the severity of the punishment. But, as I remarked before, the State should be above and beyond mere vengeance. It should make every effort to induce men to refrain from crime by means other than the infliction of punishment. We can, however, easily account for whatever increase of crime there is on natural grounds. The same is true respecting the increase of the number of criminals.

In the first place declared offenses are constantly being added to by the creation of new ones by our state legislators, say nothing about the increase by the national congress. Very many acts which a few years ago were harmless are now made misdemeanors and some are even declared to be felonies. It would be a very indolent legislature which did not at each session create at least a dozen or more misdemeanors with a few felonies thrown in. Our varied and complex business conditions also constantly require new legislation, some of which must prohibit and therefore punish acts which a few years before were considered quite proper. Our population, too, has grown until it has reached, perhaps passed, the one

hundred million mark. This population is most heterogeneous and much of it consists of foreigners, many of whom have little, if any, regard for the rights of others and more especially for their property rights. Our police force, with rare exceptions, is entirely inadequate to prevent criminals from plying their vocation either day or night. In addition to all these things it is a well known fact that the struggle for existence increases as the population increases, and that crime against property rights also naturally increases practically in the same ratio. With the struggle for existence increasing it must also be remembered that many of our homicides and crimes of personal violence grow out of and are directly connected with crimes against property rights. Such crimes are no doubt also largely augmented by the almost general and unrestricted use of small firearms. Murders arising out of personal hatred and ill will, or for revenge merely, are perhaps not much greater in this country than elsewhere, if the difference of the freedom of action enjoyed by our people and those of other countries is kept in mind. Sexual offenses, and especially those that are committed by the tacit or even by the express consent of both parties, also increase as the struggle for existence becomes harder. It is not at all surprising, therefore, that the crimes of larceny, burglary, robbery and of physical violence in late years have increased and perhaps will continue to grow in number. The severity of punishment of the offenders, however, has little, if any, influence upon the increase of crime. All criminal history attests the fact that the severity of punishment has never lessened crimes. Indeed, it sometimes has increased the number of certain offenses by exciting the passions for revenge in cases where the punishment was deemed unjust or too severe. As a matter of course the same causes which induce an increase of crime also produces an increase in the number of criminals. No other result can be expected.

If it is true, as I have attempted to show, that a certain number are born with criminal tendencies, then the harder the struggle for existence the greater will be the temptation to commit some crime against the rights of property, and, as we have seen, crimes against property rights inevitably lead to the commission of crimes of violence as well. We thus see that the increase of crime in our

country may largely, if not entirely, be accounted for upon natural grounds.

If, however, it were true that crimes, by the adoption of several methods could be lessened, one of which would be by the infliction of more severe punishment, we should, nevertheless, avoid the more severe punishment and adopt the more humane method.

We shall, however, never be able to lessen crime very much until we heed and modify the conditions which cause crime. In the nature of things crimes will prevail just as long as man exists. We may, however, better the environment of those who are born with a lack of moral force and a tendency to do wrong and in that way lessen both crime and criminals. Above all we should carefully guard and make harmless the confirmed criminal by preventing him from going at large and from indulging his evil propensities. Instead of confining that class, however, some of our pseudo-reformers have sought to decorate them with a badge of honor by giving them the advantage of a so-called honor system. A dozen of that class set at large in one State will commit more serious crimes than will ten times that number of ordinary criminal weaklings. Yet the so-called "reform" goes merrily on.

In justice to a large majority of our prison officials it should be said, however, that they do not endorse the indiscriminate application of the so-called honor system. Those men and women who for years have come in contact with confirmed criminals are well aware that it is as impossible now as it was in the days of the apostle to "gather grapes of thorns, or figs of thistles." Even a Burbank in the most prolific soil and under the generous sun of California would stand appalled at making the attempt of producing figs of thistles. Yet we find some men who seem willing to attempt what the Creator up to the present time has failed to accomplish, namely, to make honest men out of confirmed rogues.

DISCUSSION.

J. B. Wood, Superintendent State Penitentiary, Richmond, Virginia: I want to say that if Judge Frick did not come from Virginia, he must have some Virginia blood in him. He knows how to tell about what we have over there. He knows how to

describe criminals. He knows how to tell how we have to handle criminals. He knows how to tell you that you can not always make a good man out of a bad man against that man's will, and that seems to be what many people think you can do. We are always having people want some kind of a reformatory law that will reform a man. I do not believe you can make any law that will reform a man, because I believe the reformation has to begin in his heart.

I feel I have left an impression on the wardens which I want to correct. In Virginia we have a very large number of prisoners as compared with some other States. My friend, Warden Pratt, speaks of building roads and said he had sixty-six men working on the roads. I have 1,853 men working on the roads. Instead of building seventy-five miles, we are building at the rate of one mile for every working day. Of course we have a large number of escapes compared with those in Utah, but I do not know that it is so large when we talk about sixty-six against nearly 5,100 that have passed through my hands during the fiscal year ending September 30, 1915.

In our prison when a man has been with us thirty days and has kept the rules, we put him with the good people. That is—I can not take stripes off the man—I give him some things as a reward of merit for his good conduct. Instead of the men wearing a striped cap when they have given good service for thirty days, they wear a blue cap, and if you would go to my prison today you would find very few men wearing any other but the blue cap. The blue cap gives them privileges, such as writing, going to the ball game, to the picture show, seeing visitors, etc. If a man violates the rules we take the cap away from him. That puts him on the suspended list, probably for five, ten or perhaps thirty days.

Mrs. Maud Ballington Booth, New York City: I wish to speak on one phase of the subject brought forward in the very able paper which was read to us. It closed with a poetic allusion to the Good Book: that we "can not gather grapes of thorns, or figs of thistles". But I want to remind this audience that we gather very beautiful roses from briars when the briars have

been properly grafted. And in that same Good Book there is a passage that says: "I will take away the old stony heart and renew a right heart within you". We should be very sorry if any pastor or priest should rise in our churches and looking down upon all our intelligent and benevolent faces should tell us that we good Christian church people could not be made any better or truer or more sincere; that our hearts had to remain as they were because for a certain number of years they had been unsatisfactory. I believe the big sinner can be as truly reached as the little sinner. God knows there are a great many sinners in the churches and we hope they are always looking for something better. Our prison population represents the class that has wandered into the wilderness, and they are surely those after whom the dear feet of the sacred Master must hasten with greater speed than to the comfortable ninety and nine in the fold. That class must ever have brought to them by every warden, chaplain and officer the thought that there is hope even for them.

I have risen here today not to talk on prison discipline or on matters within the walls, because I know a great many of our wardens here could tell you wondrous and cheering things concerning that phase of the work; but I have risen to say a good word for the old-timer. For twenty years I have been in touch with prisoners and prison matters and I do not think that any of my friends here would charge me with being a sentimentalist. I agree with what we have all been made to feel in these prison congresses, that the feeble-minded, the mentally deficient, must be eliminated from the discussion of the prison in the future. They never should have gone into prison at all and our wardens should not be burdened with the care of those who have proven to be a menace in the prison and on the outside. They should be pitied; if they fall again, poor things, in many instances they could not help it.

But I do know that the old-timer, as he is called, the man who has been repeatedly in prison, is not by any means always of that class. There are many burglars and forgers and other professional criminals who are by no means weak or feeble-minded, and when you look at the prison system of the past, the attitude of the people

of yesterday and the self-righteousness in the world outside, you will see the cause of their return. I believe that the laws which are put into force concerning the parole of men will very much lessen this class. Twenty years ago the old-timer in our prisons was an old-timer oftentimes because he had *never had a chance* on his former discharge. Many a warden has come to me and said, "Some of our best men are these old-timers, men who would have done right on the outside, but society did not let them." We all know some of them were haunted by detectives, that others were brought up as criminals, and it was not the taint of heredity as much as the environment. They never had had your chances and mine and when they wanted to do better they had no way of escape.

I think of three men who have been under my personal supervision, with whom I have been in touch on the outside for seventeen years. They were three noted professionals—one a forger and two burglars. One of them was arrested first when seven years of age, for picking pockets. He had been taught to pick pockets. When I met him he had been so many times in prison that he had to stop and count on his fingers. He was not feeble-minded, quite the contrary, but he had never dreamed he could be in any other world. He belonged to the criminal world. It was his business. When that man had his chance given to him and work and an opportunity and trust and confidence placed in him *he never went back*. He never ~~crossed~~ the threshold of the evil places he used to frequent. He never went down to the underworld except to stretch a helping hand. He has helped more men to an upright, righteous life than many a minister in the pulpit, yet his work is not preaching. He is a hard-working man. He is married; has two children; his life is an example of the Christ-life to all who know him, and yet look on the records. That man is typical of the habitual returning criminal, who, I was told when he came to me from Sing Sing, had had so many prison records there could be no hope for him. But set against it was this thought: *he had never had a chance*.

There are many wardens in this audience who have come to me and said "Mrs. Booth, take this man; he has not a friend in the world; I believe in him but he has an awful record in the

past. But he has done well; will you take him and give him a chance?" "Indeed, I will," I tell them, and I have found it well worth while.

We can not talk sweepingly of any class in prison, and the whole success of the prison system of today is gaining as it is because our prison people realize that they are not dealing with a class but *individuals*, and as they take each man on his merits they will often find what it was in the past life that hindered him. They will give him a chance. He will have friends back of him and confidence will be placed in him, and on this he will have the strength and courage to go forward and make good.

Though I agree with you that it is dangerous to let these men who are mentally unbalanced and feeble-minded go out into the world (they should be put upon some farm where they can be happy and be watched over), I do believe the man who has intelligence has also a heart and soul, and if you know how to get to it and bring him that blessed Divine touch that changes the "brier" and puts ambition and hope and spirit within, you will have the "rose", even if you do not have "the figs and grapes".

W. H. Whittaker, Superintendent District of Columbia Reformatory and Workhouse: I wish to touch on two points made in the chairman's paper and in that of the judge; I also approve of much of what the last speaker has said.

As to road building, I am not in favor of road building as a business for any penal institution for several reasons:

First, the judge brought out in his most excellent paper that education was an imperative factor in the reformation of criminals. This being true, I cannot understand how any administration can expect to do much educational work when their business is that of building roads.

Second, I do not believe it is right to take an individual whose education and trade has fitted him for clerical work or a trade other than manual labor and because he has been committed to an institution that he should be injured either mentally or physically by doing such manual labor as is required in the construction of roads, making him unfit to return to his former business which he had been educated and equipped for.

Our friend Warden Wood tells us they have had 300 miles of road constructed in Virginia by inmates of their institution, and I dare say there has been little consideration given to the fellows in the way of benefiting them mentally, morally or educationally, or to help them to something better when they are discharged from the institution; and neither is much thought being given to the fellows who built the seventy-five miles of road in Utah. I certainly feel that in the handling of these individuals it should not be a one-sided proposition, but such methods and treatment should be inaugurated as will return to society a better individual whenever it is possible to do so.

Another point. The certainty of punishment. I want to amend that statement and make it the certainty of liberty being taken away. Then I want to take that man while his liberty is taken away and develop the goodness that is in his heart every moment he is with me if possible. You cannot do this by road-building. You must do it in your schools by the personal touch of some employe who has been educated to lift that man out of the hole he is in. Certainty of punishment? No. Certainty that liberty will be taken and certainty that while that liberty is taken away we will lift him to a higher plane. Educate, train and appeal to the individual prisoner, whether he be a one-term or a ten-term, is my motto in handling these individuals. We must get away from vindictive punishment; away from the idea that these men are all criminal.

Calvin Derrick, Superintendent Preston School of Industry, Waterman, California: I feel I must take some exception to what I regard as a rather severe arraignment of the honor system. I stand for the honor system, first, last and all the time. The great difficulty, and that which gives rise to the adverse criticisms of the system, is the fact that inexperienced and impractical people attempt to apply it without first getting the system. They undertake to apply simply the honor. They do not work out a system. It would be just as sane to expect a banker or any other business man to succeed in his line of work without system at the base—sound and clearly worked out—as to expect, in prisons and reformatories, this system of trust and so-called honor to succeed when applied indiscriminately to the inmates.

But suppose it is wise, as our chairman stated, and as nearly all wardens agree, to divide the population into three classes. Into the first grade you have the very excellent; in the third you have the almost impossible element. Suppose there is no room in the middle grade to operate a well defined and perfectly progressive system of honor—and by honor I mean a plan by which a person may begin to assume a little responsibility about his own movements and welfare and by the exercise of such responsibility and effort on his part, to progress until he develops a considerable amount of trustworthiness and confidence and responsibility. To assume that this may not be done is to assume that the second class, as well as the third class, is impossible. If you do that, you will have only two grades, those impossible and a few who may be possible.

In think the honor system when reduced to a *system*, successfully applied by practical men, is the only kind of system to work upon.

Richard F. Mattia, Chairman Essex County Prison Committee, Newark, N. J.: Of course it is natural that each one who reads a paper or gets up to discuss a subject should be right in some things. We are here with the aim to do what we think is the best for the prisoner, or at least for society. We may criticise the paper of the judge merely as a theory, but I believe that as long as I have followed up this reform movement I have never heard a more accurate statement, with more justness to the prisoner and those interested in him. We come here with good hearts, but some of us, I believe, are overworked with the idea of the sunny side and believe that you can take a prisoner and make an angel out of him. We may help them a great deal. I am chairman of our Prison Committee and have been for seven years a member of the board of county commissioners. I caused the doing away with the stripes in the penitentiary in Essex County. When I first suggested it every one laughed. When I suggested the question of paying the prisoners they thought I was encouraging people to commit crime or encouraging their wives to send their husbands to prison so they might receive something. Today the law is passed, but we are undecided as to just how to pay. I was

anxious to hear some one take up that question as to what is being done in other States.

I believe in the suggestion of three grades for prisoners and to have separate buildings. We can do it with the buildings we have by separating the wings. It encourages one to do better.

Judge Frick: Ladies and gentlemen, Mrs. Booth may have convinced you that you can produce figs of thistles, but she has not convinced me. Remember, we always produced roses from briars and we shall always continue to do that. We never have produced figs from thistles. Besides, the lady has assailed only one sentence of my paper. I commend her to read the whole paper and if she can overthrow my arguments as a whole, then has she succeeded.

I am not, as Mrs. Booth intimates, treating all criminals as a class. Far from it. In my paper I said the first thing that ought to be inculcated in every convict is that he is not without hope; it matters not for what he is convicted; it matters not what his past career. We deal with each one as an individual. No one is without hope under the system applied in the Utah State Prison, but we recognize the fact also that upon us (the Board of Pardons) rests the responsibility of turning loose into society men who always prey upon it. It is easy enough for a reformer to single out two or three criminals in a hundred thousand or more and point to the fact that they have reformed. No doubt we have those who do reform, but we have imposed upon us the duty of being careful not to make experiments, not to turn out the midnight burglar who may at any time enter your homes and commit murder. Before we liberate him we must be satisfied he has reformed and when we are so satisfied we permit him to take his place in society.

In the last ten years whatever mistakes I have made as a member of the Board of Pardons have been upon the side of mercy. The warden, who is present, will confirm that statement. I do not recall a single instance where a wrong was done to a prisoner who ought to have gone out, but in some instances we have turned out prisoners we should have retained.

I thank you.

Adjourned, 12 noon.

WEDNESDAY MORNING SESSION.**Auditorium Hotel Oakland, 10:00 o'Clock.**

President Byers called the Wednesday morning session to order at ten o'clock, after which there was a short business session.

The following resolution was presented by Amos W. Butler, of Indianapolis, Indiana, which was referred to the Committee on Resolutions:

WHEREAS, The problem of the mentally defective is a most serious one and complicates all social problems, including that of the treatment of offenders; therefore be it

Resolved, That the accumulation of accurate information and the diffusion of knowledge concerning such defectives is of great importance, and that we express our approval of the efforts of properly constituted and competent organizations formed for such purposes.

President Byers: The meeting will be in charge of the Boys' School Section, of which George Webster, Jr., of Marion, Indiana, is president. Mr. Webster is treasurer of the board of trustees of the Indiana Boys' School.

BOYS' SCHOOL SECTION.**GEORGE WEBSTER, JR., MARION, INDIANA, PRESIDENT.**

Mr. Webster: The legislature of our State has seen fit to separate criminals into three classes: those under 17 years of age in the juvenile class; those over 17 and up to 30 years in the reformatory class; those above 30 years of age in the prison class. This association in the past has devoted its labors largely to the two classes of the reformatory and prison, paying very little direct attention to the juvenile class. It might be well to inquire how large a proportion of those in the penal and correctional institutions are juvenile offenders. In Indiana, about 27 per cent. of all those confined in the penal and correctional institutions are in the boys' and girls' schools. That is a pretty large

proportion, and it seems to me it ought to have the attention of this great Prison Congress. I presume that proportion will hold good in other States.

We believe that the boy—we are speaking from the boy standpoint—should be looked after before he gets into the institution. One side of the boy problem is outside of the institution. We believe the parents, the attendance officer, the board of children's guardians and the juvenile courts should exercise greater care and use greater effort to turn these boys in the right direction before they fall into the second part of the boy problem, which is inside the institution.

We believe that the saving of the boys and girls is of greater importance to the State than the reformation of the inmates of the Reformatory and State Prison. These two latter classes have their lives practically, and some of them almost entirely, lived. They are in the past. These boys and girls have their lives almost entirely in the future. They are the future fathers and mothers. The boys will vote and help make laws. I believe the men and women who belong to this great Prison Association in their addresses to audiences upon prison subjects ought to give a portion of their time to an earnest appeal to the parents and officials to use greater care, if possible, to keep the boys and girls out of the institutions.

The other side of the question comes when the boy is put into the institution. We are to hear an address this morning from a gentleman who will treat the matter from the institution side. I have pleasure in introducing Mr. Guy C. Hanna, Superintendent of the Indiana Boys' School.

"THE JUVENILE CRIMINAL."

GUY C. HANNA, SUPERINTENDENT INDIANA BOYS' SCHOOL, PLAINFIELD.

While the subject of this paper is the "Juvenile Criminal" the discussion will be confined entirely to males under the age of seventeen years who have so far transgressed society's laws as to make it necessary to commit them to a state correctional institution. If there are any here who would take issue as to the title of the paper, on the ground that there is no such thing as a "ju-

venile criminal", my answer is that, for the purposes of discussion at least, "juvenile criminal" is to refer to the class just mentioned. Under the operation of the juvenile courts as provided in most States, and through the work of boards of children's guardians, probation officers, and various other agencies, both public and private, the number of boys committed to any sort of an institution is greatly reduced. Considering also the correctional institutions maintained by religious denominations and private benefactions, to which thousands of children are sent before it is thought necessary to commit them to the care of the State, it becomes the province of the state correctional institutions to receive those on whom all other agencies have failed. They are the extreme cases. Many of the boys committed have been in one, two, and even three public institutions before coming to the correctional school. Some have been before the courts twenty or more times. Most have been up from three to seven or eight times. A great many have been on probation in their local counties from one to four or five years. They have shunned the public schools, are retarded mentally, and are disinclined to work. More than half border on feeble-mindedness and in some States the correctional institutions contain boys who are idiotic. While nearly all cases are covered by "larceny" and "incorrigibility" the latter nearly always involves stealing and other criminal charges. It is not the theft of an orange from the grocer's display. The charge usually involves organized and systematic theft running through months or years, of dozens of bicycles, horses, and horses and buggies; and such crimes as house breaking, car breaking, robbery, forgery, safe cracking, etc., not once but often repeated. The charge also includes criminal assault, sodomy, assault with intent to kill, murder and various crimes against the person. Crimes against property such as ruthless destruction of plumbing fixtures for the purpose of obtaining brass, lead, and other valuable metals, is common. Arson is occasional. The greater per cent of all boys received smoke cigarettes to excess, and are in run-down physical condition generally. Some have ruined their health at least temporarily by masturbation. Many come who have not been in a bed for weeks and sometimes months. Some have never had a bath in their recollection. While it

is true that a large per cent. come from vile, wicked homes, this fact will not be considered in this discussion except in so far as diseased parents have produced diseased children. I refer here principally to the effects of syphilis in the offspring, and to the weakened child of drunkards and drug users. This paper will not attempt to discuss the causes that make delinquency nor suggest any remedy to the community to lessen or abolish crime, but will be strictly confined to the state's part in dealing with the boy cast off by the community. To get at this problem it was necessary to show something of the mental and physical condition of the boys committed and the crimes for which they were sent.

These factors determine, or should determine, the organization of a correctional school. The boy has failed to receive the benefits of the public schools, he is in bad physical condition, he is disinclined to do useful labor and seeks to gain through unlawful practices. He often is morally perverted, and usually has had little or no religious training or inclination. He is dirty and ragged and has no self-respect. He is the victim of cigarettes. The organization must take into consideration these facts and organize accordingly, no matter what finespun theory is offered or ideal set up to the contrary. This is not the problem of the orphan who is normal in all respects except that he has no home. It is not the problem of the insane, the feeble-minded, the epileptic, the deaf, the blind, nor the permanently disabled. Nor is it the problem of the prison or reformatory. The theorist who knows little about any particular institution, but has ideas of them all in general, is in danger of attempting to organize and conduct all on the same or similar lines. This is a danger that a central board of control readily falls into.

Just in so far as correctional institutions lose sight of their particular problems growing out of the character and needs of their wards have they merited criticism. They certainly have had a generous share of it. Prison wardens and reformatory superintendents rap the reform school. It is the favorite football of many intelligent and well-meaning persons. Former inmates of the better type have said they thought they were being sent to a school of industry and found that it was a school of slothfulness;

that they thought that they were being sent to a place with moral tone and found it to be a den of vice. Men who have had great experience in institutions of this kind have said that no boys' school in America is doing anything for its inmates. This statement of course is one of the extreme views and is far from the truth. However, I believe that much criticism has been just and I am sure we all wish to remedy the evils as fast as possible. One of these that seems to pervade these institutions is the horrible and revolting practice of sodomy, itself a crime carrying a prison sentence. This crime may become so common as to be lightly regarded by the administration and official force. It has been known even to include the latter. So long as this attitude is held by those who should protect the inmates intrusted to their care, and so long as they proceed on the theory that it is a necessary evil, the boys' schools are damned, because there is no more damnable crime than this one. It destroys mind and body of its victims. It breaks their wills and perverts their vision in all things. It drags its slimy body through the cellars and tunnels and into the dark and out-of-the-way corners. It drops boys farther down into the depths of lying, stealing, dishonesty, and trickery. Prostitution of the vilest and most unthinkable kind flourishes. Older boys corrupt younger ones. Unnatural flirtations are carried on that nauseate and disgust. The whole life and thought of an institution will come to revolve around this one thing if it once spreads itself among the inmates. It is not hard to understand the prevalence of this crime when it is remembered that a great many boys committed to a correctional institution have been often guilty of it before their commitment, and the physical or property conditions and organization of boys' schools make its practice and spread easy. Small cottages that would hold twenty boys under proper conditions are made to hold forty or fifty. Cottages for thirty carry a load of fifty and sixty. I have seen seventy boys stacked into a dormitory that should not have more than twenty-five to thirty beds. Pack boys into a dormitory like sardines, with insufficient air, leave them without a wakeful guard or officer, consider their anaemic physical condition and the prior evil habits of at least a few in the dormitory,

and it will be an easy matter to find the source of trouble. No dormitory should be overcrowded. It should be rectangular in shape with no offsets or out-of-the-way corners, should have an abundance of window space, and should be guarded—not to keep the boys from getting away but to prevent this demoralizing crime. Colored boys should be segregated from white in every department and activity. Segregation in general should also be sharp throughout the population. Congregate dining-rooms should be broken up. They offer a fine opportunity for unnatural flirtation. No building in a boys' reform school should have a basement or dark corner. Everything should be out, open, and aboveboard.

A boys' school official told me once of how he trusted his boys by putting them on their honor and letting the entire school of two hundred boys loose together on the grounds after dark. I asked whether they practiced sodomy under these conditions and he replied that he didn't know, but possibly some did. No administration can afford to supply conditions under which even one case is possible. The loss is greater than all the gain from a safe return to the cottages. Much has been made of late years over the "honor system". The public usually has in mind that this means an inmate is given an opportunity to make his escape and doesn't do it. If this is the meaning of the honor system there is little in it to boast about. No management could conduct an institution out in the open country, containing from two hundred to eight or nine hundred boys, without walls or fences, on any other system. The honor system from this standpoint is not an adornment. It is a necessity. I should not be afraid to send almost any inmate any distance without escort. He would return. I am willing to trust him about the institution so far as escape is concerned. I am not willing to put him on his honor not to commit, or give him a chance to commit, sodomy. Whenever reform schools so build and so organize, as to stamp this evil out they have made the biggest step forward it is possible to make.

Another factor in the way of progress is the long hours that officers are required to work. No man will give top-notch service who goes on duty at six o'clock in the morning and stays on duty until eight that night, and who works every day in the week with

the possible exception of one or two days in each period of six weeks. Good men will be reluctant to accept such employment and will hurry out of it once they are engaged. This system involves boarding the employes at the institution and results in dissatisfaction with the board, with the hours, and with things in general. Frequent changes in the help come. Officers who are supposed to be on duty or in charge of their families or companies delegate this job to some boy and the house fathers and mothers seek their own quarters. There is a general letting down in tone of service and the result is slothfulness. Low salaries also contribute to poor service. The remedy is to put all employes on a cash basis, make their period of duty at least three or four hours shorter each day, raise salaries, and employ steady married men who are likely to make the work their profession. All this resolves itself into producing better conditions and a better atmosphere for the inmates.

The interest of the boys must be always uppermost. The school is maintained for their benefit. An institution so badly disorganized that heads of various departments pull and haul for particular boys who give promise of helping to make their departments give a good account with minimum effort on their part, is in a bad way indeed. A boy should be assigned to a trade or to work because that assignment appears the best for him and not because it relieves a superintendent's favorite of a little work. Officers should not accept personal services from inmates. If a boys' school is a school in fact then the inmate is a pupil and not a dog or personal slave.

The superintendent or executive officer should have a free hand and will have it if his board is composed of broad gauge, liberal men. No man is worthy to be a member of a board of control, secretary of the Board of State Charities or member of a legislative committee, who prefers the servility of state institution heads to independence and push. A superintendent should be a creator of ideas and have the executive force to write them into action. He can't be this and be eternally cringing at the knees or hanging to the coat tails of some little man temporarily in a big job. The superintendent should be held to account for results and be unimpeded in producing them. He should employ all subordinates and have

the right to discharge them at pleasure. His board should not interfere in this, hob-nob with subordinates, or otherwise disorganize the help; and most certainly outside boards should have no interference in the direction of the work of employees.

The discipline of any juvenile institution is a big problem. Whether corporal punishment is used or something else is substituted for it, surely the matter should be passed on and punishment allowed by the superintendent—before it takes place. No good can come from allowing officers to confine, slap, strike, or in any manner lay hands on a boy, except in a manner approved and allowed by the superintendent in each specific case.

There is a theory popular in some quarters that the shorter the period spent in any institution the better. It is even said that "A home, however bad, is better than an institution". It doesn't take a very high order of intelligence to know that this statement is false, and it is easy to understand that, if an institution is all that it ought to be, it is vastly better than the majority of homes from which inmates go to correctional institutions. In view of the class of boys received it would be better to increase their stay rather than to attempt to hurry them into homes to become the free servants of hard masters. The parole of an able-bodied eighteen year old boy to some farmer on a basis of "board and clothes" is fundamentally wrong and nearly always brings disaster. I have known of fullgrown boys going out of correctional institutions on this basis, with an equipment of clothing furnished by the State, who were returned in the same clothes two or three years later. It is hard for a boy to see that he does wrong to steal forty dollars on account from his hard-fisted master under these circumstances.

In view of all this, my conception of a boys' correctional institution is that it is essentially a school; that a school building, modern and equipped, should be built and used exclusively for school purposes; that qualified teachers should be employed, and school maintained twelve months in the year. The course of study and teaching should be as nearly identical with public school work of similar grade as conditions will allow. An elementary high school course should be maintained if there is material for it. The school should have as part of its equipment and under its management a

large and suitable library with something in it beside stories of bad boys who did wrong and got punished. On account of the physical condition of the boys and their lack of self-respect there should be a gymnasium with a qualified instructor in systematic gymnastics. If the whole organization is military or semi-military it will be beneficial to health and encourage self-respect. The school should have a proper auditorium with a good-sized stage and equipped with a moving picture machine. Next to the school instruction, there should be chapel exercises every Sunday conducted by a regular paid chaplain. Music furnished by the institution band, orchestra, and glee club helps to make the Sunday program interesting and attractive. Daily recreation or play periods after each meal should be provided in every daily program. No boys' institution can afford to be without plenty of large playgrounds, playground equipment, and the fullest opportunity for every inmate to use them.

The commitments are practically all from the cities and city trades should be taught to those who can learn them. The theory that you can make all bad boys good by turning them loose on a farm to work the soil is certainly fallacious. If a boy has the intelligence to learn a trade and has lived all his life in the city it is pretty safe to keep him long enough to teach him a useful city trade. Institutions may make the mistake of trying to work too large a force in the fields with bad results to both the boys and the crops.

Finally, growing boys must have an abundance of nourishing food and it is the state's business to provide it. A good sanitary water supply is as indispensable as its liberal external application is desirable. If a boys' institution is organized on the basis of its peculiar problems and needs and its best ideals are lived up to, then fortunate is the boy who is confined to its care.

THE JUVENILE DELINQUENT.

CALVIN DERRICK, SUPERINTENDENT PRESTON SCHOOL OF INDUSTRY,
IONE, CALIFORNIA.

We have just listened not only to a very interesting paper but to a very clear, clean-cut argument. Superintendent Hanna is to be commended for the very lucid manner in which he has sep-

arated his topic from the great field of criminality. His premise leaves no doubt in our minds as to exactly the particular phase of reformatory work he is discussing; it is the juvenile male below the age of seventeen, who has been confined in the industrial school upon commitment by the court.

I think it is pretty generally admitted by everyone having any real knowledge of the facts, that the problem of the juvenile criminal is very closely and very extensively interwoven with the problem of mental defectiveness and that the problem of the industrial school is, to a greater degree than was formerly realized, the problem of the mentally defective delinquent. This fact probably helps to account for the stupidity which has been exercised in the construction of nearly all of the juvenile correctional institutions in this country. The people having the matter in hand were more concerned with the beautiful, massive architecture which should be a credit to the state administration constructing it, than they were with the needs to be provided for or the results to be reached. The present workers in the field are obliged to contend with almost intolerable conditions foisted upon them by past generations. The expenditures have been so lavish and the buildings so massively constructed that abandonment for cheaper and better buildings is out of the question on the one hand, and alterations almost impossible on the other. In many instances the outlay for alterations, to make the building suitable for the modern-day conception of the training required, seems to be so great that the thought can never be written into action. California is suffering from this condition, but is rapidly overcoming the worst features by many and varied expenditures. As far as I know I am quite sure that all of the institutions in California can today meet most of the ideal requirements of physical equipment demanded by Superintendent Hanna; playgrounds, athletics, gymnasium, moving pictures, music, dramatics, the best of food and water and, I'll venture to say that no other State furnishes better air or more flowers and sunshine than does California. Taking Superintendent Hanna's paper as a whole, I can most heartily endorse it, and such discussion as I should feel able to give it would simply be a reproduction of the assertions he makes and

a reinforcement, if that were necessary, of the arguments he advances. But I do not agree in *all* particulars with the paper, and wish most respectfully to submit my difference of opinion on three points.

In the first place, I think that Superintendent Hanna's discussion on the subject of sodomy is a little morbid. I agree with him perfectly on its hideousness and the baneful results. I do not believe it to be possible to point out the dangers and the terrible consequences flowing from this practice in terms too severe, but I do not believe that every boy, even among juvenile criminals, is to be induced, even under the unfavorable conditions in our industrial schools, to enter into this practice. In fact I am sure that there are many who cannot be so induced, and I am also very positive, from concrete experiences, that the interests of boys in groups can be so directed that, under existing conditions, sodomy is not, by any means, to be feared as a universal practice. It is rarely possible to make the crime of sodomy abhorrent to the defective mind. It is possible to make the defective understand that it is a thing which is not to take place, the same as he can be made to understand that he must not steal, that he must not burn buildings because of the consequences, and because of the injury which it may do to others and to himself, but it is quite as impossible to make the act absolutely abhorrent and repulsive, as it is to make him refrain from lying or stealing, from purely moral or religious reasons. This being so, the defective falls into sodomy very easily, because he has few mental interests and the physical controls the mental. The mind is fed from the body and its demands, rather than the body being controlled by the mind. The normal boy seldom becomes a sodomist because he has a broader mental capacity and more extensive mental interests.

I believe that Superintendent Hanna's feeling that no group of boys is to be trusted; that they are never to be left without the oversight of a guard; that they are never to be allowed to go into places where sodomy could be practiced, but always to be kept in the open, is too sweeping. I think that the *key* to the situation is a most searching segregation, and that the spotted cases of disease should never be allowed to circulate freely or to

be out of sight; that the older and younger boys must be kept apart; but to subject the whole population, possibly of several hundred (which certainly contains a percentage of boys who may be trained to standards of honor and personal cleanliness to a degree which would absolutely insure their rectitude of conduct on this point), to the kind of scrutiny which the Superintendent indicates, would be to deprive them of an opportunity to exercise, or to enlarge, their self-respect. This constant oversight by the watchful guard is the thing that institutionalizes and crushes the boy; boys come never to act naturally; under the eye of the guard, every action is measured by the boy before it takes place, and by the time he has suffered this sort of espionage for several years, his natural action is so dwarfed that he appears to be an oddity when he enters free society.

I have found in my own experience that the most successful way of fighting sodomy is not through the guards alone, but through the boys themselves. I can give several specific instances, not one or two but many, where boys have unearthed the plot and come directly to the office with it. Within the past twelve months, in my own institution, there have been probably a score of cases where numbers of boys have waited upon me in person and requested that a certain boy, or a certain pair of boys, whom they had reason to suspect as preparing to commit sodomy, if they had not already done so, should be removed from their company, in order that the fair name of their company should not be tarnished. The self-government movement in our own institution has furnished the motive for greatly enlarged interests and greater mental visions; it supplies group interests through the company courts, general interests through its central government and individual interests, because every boy permitted to join in the movement is an integral part of the government with a definite function to perform. Nearly two years ago, at the suggestion of the young man who was at that time president of our cadet government, we formed a company made up entirely of sodomists. This young man, together with several others, I had frequently talked with upon the question. I had enlisted their coöperation and sympathy in the stamping out of the practice. They assured me that the

practice was carried on by a very limited number of boys as active agents; that many other passive agents were drawn into the practice from time to time, but that if the active agents could be separated and controlled, that they, the boys, could themselves very quickly stamp out the rest of it. After several days' very careful work, we separated nineteen boys from the rest of the population and have had them as a separate company ever since. They constitute the most defective, generally speaking, of the population, and were known to the population as sodomists. Since that time we have had much less trouble, although it is a question upon which we exercise the greatest vigilance. I am certain that there are many boys in the school who could no more be induced to commit sodomy than certain boys in free life outside, and my faith in these boys is not based upon mere sentimentality.

The second point which I wish to discuss is the dormitory. I believe that the dormitory is a very dangerous part of the institution, large or small; the larger it is, the more dangerous. I am also firmly convinced that the dressing rooms and the bath rooms are sources which make more sodomists than any other. Reflect a moment upon the lives and experiences of these boys before coming to the school. The majority of them, over fourteen or fifteen, have been sexual delinquents, many of them familiar with the redlight districts. Then remember the unnatural lives they are forced to live in an institution; carefully protected in some institutions, even against the sight of a woman, to say nothing about the social influence and intercourse with women or girls. Consider their long hours of rest, the regularity of their work, the wholesomeness and plainness of their food, all of which is meant to build the physical up to the highest possible standards, and then reflect upon the probable reactions which take place when forty or fifty, or even fifteen to twenty-five, are constantly associated in the dressing rooms and bath rooms. The only friendships the boys are capable of sustaining, because of physical conditions which surround them, become unnaturally intensified. The close, chummy relations which are formed within the little group easily result in the unnatural flirtation, the sickening outbursts of love, and when they later assemble in the dormitory, the final

results in sodomy are just as natural as the appetite for breakfast, dinner and supper. Every dormitory is bad, I do not care how good it is. Boys should be given single rooms, not necessarily completely roomed off; they may be opened at the top; they may have but three walls instead of four, but one thing I am very clear on—that boys should not be forced, during the period of their confinement in an institution, to forego every speck of modesty. It should be possible for those in charge of the boys to play upon this very important factor of high-grade self-respect, of manly modesty, a high regard for simple decency, such as is practiced in the world by the average person of average intelligence and decency, and upon this basis, it will be found that not only personal pride and personal respect can be built up, but that in the secrecy of his own room the boy may be worked upon morally and religiously, he being free from the searching eyes of his companions, no longer afraid of the jeers and sneers, which too often keep boys from taking a decided step in their own favor, with reference to religious or moral things.

Sodomy and other forms of vice and demoralization are easily fostered, talked over and promoted in a dormitory, but one boy alone in a room *cannot commit sodomy* and cannot be talked to, or talk to another on these lines. I am fully aware that the majority of my audience are now saying in their own minds, "What about masturbation?" My reply is that a dozen dormitory watchmen could not prevent the practice, and, even if they could, that such prevention does not constitute a cure, nor in the least sense whatever lend a boy any incentive or aid toward effecting a cure. For groups of idiots or imbeciles, or for very young children, the dormitory is all right, perhaps better than single rooms; but for such class or type of boys as this paper is dealing with, I can not think of a single advantage that the dormitory offers over single rooms except economy of space and money. From the standpoint of riot, assault, general disorder, sodomy, story telling and bad association generally, even under good conditions and in charge of a competent man, the arguments and actual results are all against it.

When you come to think about it, supposing that an institu-

tion was constructed in the manner indicated by Superintendent Hanna—and that construction is ideal, I am not criticising it—even then you have toilets and bath rooms; you have the shops and stables, the fields; it is practically impossible, if you have any line of activities whatever, to make an institution open and above-board in all respects, and if you have to depend upon the watchfulness of the guard to prevent sodomy in the institution, what is society going to do with the boy when the institution no longer holds him? Certainly the officer cannot accompany him into life, and if the only reason why he does not commit sodomy while in the institution is because he has not the chance to do it, you may rest assured that when he is released, and he does have the chance, he will very quickly establish for himself a large following among his associates outside.

The third point I wish to discuss is in regard to the formation of the regular school of letters. Superintendent Hanna believes that the school of letters, in the institution for the juvenile criminal, should be as nearly identical with the school outside as possible. To quote him exactly, his words are: "That the course of study should be as nearly identical with public school work of similar grades as conditions will allow." I think that is exactly what we wish to get away from. I think that the public school course of study and the public school methods, as applied to the juvenile criminal of the particular grade we are discussing, has very little value. The grammar school course of study is made and applied with the very definite purpose of preparing children to enter the high school. The institutional school has no such aim in mind—as a rule, the boys have to immediately become wage-earners upon release. If he is a mental defective, and according to statistics we have a right to expect that about seventy per cent. of them are mentally defective, he is not capable of progressing very far or very rapidly in the usual course of study. If he is not a mental defective, he has at least failed to be sufficiently interested by the public school course of study or its teachers to have gained any satisfactory life interests or principles. He is now down to the very bottom of the ladder socially; the two or three years that he is going to spend in the industrial school is

the last chance the State or society is going to have on this boy, outside the prison, and if he is capable of absorbing any good from schooling, or if he is capable of being trained through the school system in a manner that will advance his welfare, it must be through such a system and such a training as meets his particular individual needs, and his particular needs are just a little different than the particular and individual needs of any other and every other boy. Now, if there is one thing beyond all others for which the public school system is to be harshly criticised, it is because it utterly fails to meet the individual needs of pupils, but requires all of them, more or less, to meet one standard as set forth in the adopted course of study. I believe that the school for the juvenile criminal, which we are discussing, should be graded, not according to the eight grades of the common school, but according to the mental test of the various groups of boys, and that when we have succeeded in getting into one group, or grade if you please, all of those of about the same mental measure or caliber, that we are facing a much more concrete problem as to their training. If we grant that they are somewhat defective, or underdeveloped, or retarded, or whatnot, and their progress along the usual lines of education is, for these reasons, blocked, then our duty is to make the education fit their grade of mentality, and to make such education as extensive as they are capable of receiving. We may have a seventeen-year-old boy with a seven-year-old mind, in the second grade in school; he may never be able to advance to the third grade; if he went to school a lifetime he could not successfully pass the third grade. Our problem now is not to attempt to get him over the second grade, but it is to make the second grade to him as wide as the world, giving him everything in the field of literature that a second-grade mind can take in, seeking to store his mind with as much beauty of thought, to develop as much concentration and judgment, and to involve as much and as varied experiences as is possible for his mind to take in. We must put into his two years or three years of schooling just as extensive experiences in the industrial field as is possible; we must discover if he has any mechanical ability of a grade that would ever permit him to be trained to become a

mechanic's helper. If he may be, then we must give him as good a knowledge of the simple elements which he is capable of assimilating as we can possibly think out. If he loves the agricultural work, or the gardening, and can be sufficiently interested in it, then we should give him as good a knowledge and as technical as a second-grade mind is capable of taking in, not with a view that he will ever become a gardener, but with a view that he will learn to respect and love the thing that he is going to do, having a sufficient amount of knowledge that he will be an interested helper, under competent direction, somewhere in the world. The average text-book holds but little interest for the boys in the class of juvenile criminals. We have no text-books suitably wrought out for this work as yet. Those coming most nearly to meeting the demand are such as are employed in the night schools among the foreign and illiterate populations.

Commenting on Superintendent Hanna's observation concerning the trades and the excellence of the agricultural work to meet the needs of reformation for such boys, I heartily agree. Many competent judges and workers in the field believe that all boys are greatly benefited by agricultural pursuits, and that the instruction along the lines of gardening and farming, dairying and whatnot, brings all boys into the healthiest kind of contact with nature, and that the moral training and the good citizenship resulting far outbalances the value of a trade training. Others believe that the institution caring for juvenile criminals should be virtually a university trade school, and that any boy should be able to learn any trade that he desires—not the elements of the trade but the trade. I dissent from both views, not that both do not contain all the advantages claimed for them, but because one extreme cannot possibly meet the needs of the many. There are very few trades which it is practical to teach completely in an institution, and I do not believe that an institution should be called upon to teach, completely, a trade. It should be qualified, however, to turn out fairly good helpers in almost any and every field, because the juvenile criminal comes from all over the world and must return to all the fields in the world; some of them go to mining districts—they must be good laborers or else fairly good

mechanics; some of them return to the cities—they must be prepared to earn their living in a city trade; some of them return to agricultural districts—they certainly must know something about stock, how to milk, how to plow, etc., and the school which believes in only one course, and then returns these boys to all sorts of fields, fails not only to meet the needs of the boy, but the needs of society as well.

A. R. Schlosser, Superintendent Training School, Plankinton, South Dakota: Ours is not in a class with the institutions represented by these papers. Our boys come from a different environment entirely. We have a small institution. Our average population is about 125 and we have both boys and girls. I have enjoyed these papers and feel that I have obtained something from them.

We have been troubled to a certain extent with our boys in the practice mentioned in these papers but not to the extent that the superintendents who have addressed us have been troubled. I suppose that a very small percentage of our boys have ever been in a city of ten thousand population. Most of them come from the agricultural district. Our aim is to keep them in the agricultural districts when they leave the institution. We teach trades. We take them through school. We have a high school. I think mentally the class of boys we get at our institution is of a higher standard than in a great many institutions of this character in the country. Last year we had a class of fourteen in the eighth grade, thirteen of whom passed the state examination. Of course our boys when they come to the institution are not as far advanced in school as they should be, not because they are not able to learn but because they have been neglected. We have a nine months' school of half-day sessions. Each and every child is required to attend school half a day and the other half-day is taught a trade.

Regarding dormitories, I agree with the speaker regarding the advantages of individual rooms, but I presume that it would be absolutely impossible to introduce anything of that kind in the majority of the States. I know we have not the room for it, and when the legislatures are appropriating money for additional buildings and cottages they will not take into consideration all of these things. Although I approve of individual rooms I believe

it will be a long time before we can hope to get anything of the kind.

We have individual rooms in our girls' department. Each girl has her own room, which is semi-private. She is able to be by herself.

We have night watches over the boys, and they are watched very closely and we are very careful with them, not because we are afraid they will leave us, although we have had some of them go, but we are looking after their interests.

We also have night watches over the girls, which is something new. These have just been employed.

E. S. Hineckley, Superintendent State Industrial School, Ogden, Utah: In all probability I am the youngest by way of occupancy of any superintendent present at this convention, for I have occupied my position but little over eight months. I have listened with a very great pleasure and interest to the excellent paper by Mr. Hanna and the discussions that have followed. I felt sure from many of the things Mr. Hanna told, though our Utah school is small, that he must have been gathering his information from there. I agree with him that the buildings should be above ground and thoroughly and completely ventilated and well lighted.

I am very glad we have the opportunity in our school to try out a problem that has been mentioned here, the problem of separate rooms for boys. We have splendidly ventilated and lighted dormitories that are carefully guarded by night and we have a sufficient number of private rooms. These private rooms are given to the boys strictly on an honor basis. Probably that honor basis may not be the correct thing, but from my point of view it is working out splendidly. Each boy is assigned his own room as soon as he shows himself capable of being a straightforward, honorable citizen in our community. He takes care of the room and provides his own decorations. We, of course, furnish him the literature that he shall read. We are comparatively well provided with library facilities and reading-rooms.

One of the problems in our institution is to provide an opportunity for boys who have finished the eighth grade to go on with educational work. We have no opportunity for teaching high

school work in our institution. It is quite possible that 10 per cent. of our boys have finished the eighth grade. We have from 115 to 130 boys, a large majority of whom come from Salt Lake City. Some few have done a little high school work. Recently I proposed to our school board that they permit me to make an experiment by permitting boys of high school standing who are apparently reliable and who stand in good favor in the institution to attend the city high school, a distance of three and a half miles from the Industrial School. They go to and from the school on the street car. Some of them are attending business college, which is of a high school grade. They go without any marks of identification. They are not registered as from the State Industrial School. Up to the time I left home they had been in school about four weeks and the results were admirable. I am glad to say the boys in our institution, I believe, show a little better mentality than has been shown by some of the papers read. I think the report for 1914 shows out of eighty boys of the larger class there were twenty of them that were from three to four years retarded. We have the retarded boy in abundance, but the mentally deficient is scarce. We have a few that will forever be wards of the State.

Much of lasting interest has come to me from the excellent paper of Mr. Hanna and from the able discussions by Mr. Derrick and others.

Mr. Webster: I am pleased indeed to hear these reports about these schools. That shows there is a wonderful progress going on in the boys' schools over the country.

I would like to mention one thing in regard to our school system. Mr. Hanna is modest and will not talk about his own work. Five years ago he commenced to remodel our schools upon the state school system, following it strictly, the same as any other school in the county in which our institution is located. The results are now coming to the front. Last fall we graduated twenty-seven boys out of the eighth grade, a thing never before heard of in the Indiana school. Last spring we had thirty. This is ten per cent. of our population which has been graduated from the eighth grade in one year—the result of five years' work along

the line of the state school system. At one time we had Amos W. Butler, Secretary of the Board of State Charities, and Charles J. Orbison, a judge from Indianapolis, come and speak to the graduating class. In September, when we graduated thirty, we had the Governor, the Auditor of State, the president of the State Normal School, and the State Geologist with us. The Governor made an address to the class.

Last spring a singular thing occurred. Twenty boys out of the thirty spoke to the superintendent or their teachers, regretting they could not get more education while in the boys' school, and said if they remained there a few months, or a year or two, they could not get into a high school. This was true, they could not. The next day the board met and Superintendent Hanna came to the board with his plan, submitted it to us and then said, with the present force of principal and teachers, he could manage the first year of high school if we would buy the necessary apparatus, books, etc. In ten minutes Mr. Hanna was given *carte blanche* to buy anything necessary, and on the next Monday morning the school was started, most of these thirty boys entering the school. We did not require it, but they went voluntarily. Every diploma given out by Mr. Hanna as superintendent is signed by the county superintendent of schools of Hendricks County, the township trustee and the principal of our school. Exactly the same diploma is given by any other school in Hendricks County. Not a word is said about a reform school in the diploma.

I simply want to show that the school system in reform schools is growing rapidly all over the country, and it is the strongest influence to reform these boys.

Dr. D. C. Peyton, Superintendent Indiana Reformatory, Jeffersonville: Mr. Hanna's problem is not exactly the problem confronting those of us in the reformatory work. I may say that in many instances he gets the individual before we do. I do not feel that it is entirely within my province to discuss this paper, but I do want to give myself the pleasure of publicly commending the splendid, strong, sane paper that he has prepared.

There are two thoughts in particular that come to my mind. Much has been said during this entire session concerning the

so-called honor system. I have listened with interest; have agreed in some particulars and in others I have not. I want to use two illustrations indicating my thought or idea with reference to the honor system. I believe that the fundamental purpose of the honor system is to serve as a moral tonic for the weakling or the unfortunate individual. It should not be applied indiscriminately and without proper regard to the necessary surroundings, to safe-keeping and protecting the individual from his own weaknesses and the weaknesses of others. Just as the mother takes the little child by the hand and encourages it to walk—teaches it to walk—so the strong individual in the moral life should take the weakened individual and under his own careful observation and with careful consideration for the weakened condition of that individual, should encourage and teach and help the weakened individual to grow stronger morally.

Being a physician, I naturally get a physician's viewpoint. When some individual falls and breaks a leg and he is recovering, in the course of a few weeks he feels he should be out of bed. Should I say to that man: "Get up and walk—nothing is the matter." No. I give him a crutch. I give him some support, help him and sustain him artificially under proper protection and guidance until that injured limb has sufficiently regained its strength and is able to perform its normal function.

I am reminded of a story in this connection that I think illustrates my thought. An old preacher out on the western frontier in the early days, when someone recognized that there was great danger at that particular moment, and it was suggested to him that everybody should pray, said: "That is right, but while you pray, keep your powder dry." So I say to you that it is all right to trust these men and encourage and help them, but keep within easy reach and sustain them. It is unfair to these weakened individuals to push them out into deeper water in which they cannot possibly handle themselves. Why have they been sent to the institution? Not for attending Sunday school too often. They have given to the communities every evidence of weakness, so I say that in my judgment the honor system is the application of confidence and trust, under careful supervision and keeping within

easy reach, that you may prevent the very things for which these individuals have been committed to the institutions. Hold them up; lead them on; encourage them; tone them up, give them strength under the supervising eye of a well-trained, safe, sound officer.

Thomas D. Eliot, Ph. D., author "The Juvenile Court and the Community", Berkeley, California: Although I am not connected with any penal institution I was in juvenile court work for four or five years. I have, therefore, been interested in the discussion, and wish to bring out two points:

1. Mr. Hanna spoke of his type of institutional work being essentially educational; Mr. Derrick spoke of getting away from the practice of the ordinary school by individualizing the teaching and introducing vocational work and having small classes. Do not the successes of institutions for abnormal children and abnormal individuals teach the way to the ordinary schools of the community and point the way to some of our greatest reforms?

2. Where are we going to draw the line between the educational and penal in this day? That has come to me in connection with the juvenile court work, because in the probation offices and in the detention homes you bridge that gap between the educational and penal.

The penal institution is now viewed as simply a special form of education. Individuals are no longer divided into two great classes of normal and criminal, but are graded—however inaccurately—all the way from the "backward classes" to the so-called incorrigible and pathological.

Long ago there were no two institutions so dissimilar as the prison and the school. Each has gradually approached the other. From the prison developed institutions the names of which indicate progressive attempts to advance toward the educational ideal: "Penitentiary", "Reformatory", "House of Refuge", "Reform School", "Industrial School", "Parental School", "Detention Home". In the modern school system are included the detention home, many truant and parental schools, special and backward

classes and the splitting up of classes of normal children into first and second divisions.

Eventually our penal and educational systems may be handled by one great department, and the courts may be given power to enforce wise treatment of children from the moment they begin to show abnormality or defect in mind, body or conduct.

May I not appeal to you people in institutional work constantly to point out to us who are working in constructive or positive social work the places where we are falling down? What brings these boys to you? Why is it that the playground, the library, the church and the school are constantly falling down on the job?

Mr. Hanna: Superintendent Hinckley mentioned sending some boys to high school. That is fine, but I believe this: if boys can go to that school three and a half miles away every day for any considerable time, I should turn them out. I should not keep them. They are ready to go home. I think an institution should maintain a high school, but when a boy gets to the point that he can do the things Mr. Hinckley mentioned, he should not be in the institution.

Superintendent Derrick has misconstrued some things in my paper. In connection with the crime of sodomy, I wish to say that no State has the right to take the liberty away from a boy and put him in a state institution and not protect him from this horrible crime. Whatever protection it takes, should be given. I do not care what system is worked out in connection with protecting the boy, but my position is that he must be protected. No State has a right to take away the liberty of 600 or 700 boys and let them live in a den of vice and crime. This does not mean they have to be eternally watched. I said that every boys' school should have at least three play periods and when the boys are turned out, to let them play as they please. The officer in charge plays with them, but I do not want it possible for any two or three to get around the corner and commit this crime.

Superintendent Derrick has also misconstrued my point on the school. I would not put the seventeen-year-old boy in the senior year high school if he is a second grade pupil. I would have a

standard for each grade. I believe the best standard is that of the public schools. It does not mean that they are given individual instruction, but the classes are small and far more individual attention can be given than in the public schools.

Regarding single rooms, I agree that many of the boys in the correctional institutions should live in single rooms. Some of the younger boys should not. Some are so young that they would be lonesome and afraid and they are better off in dormitories; but they should be watched, not to prevent escape but to prevent other things. I should put at least half the population in single rooms.

But my paper deals with facts and conditions and not in theories.

I am objecting to putting thirty or forty boys together at night and assume they will sleep sweetly until the next morning, in view of the class of population we get. They should be protected, as most of them require protection.

Donald B. Olson, Superintendent State Reformatory, Monroe, Washington: We have a reformatory with a population of 468 men from 16 to 30 years of age. Our population is composed largely of young men who do not know how to provide for themselves in the matter of everyday existence, and it is very important in our treatment of them that we teach them how to work. I think our population is perhaps that of the average reformatory institution—trifling young men.

The school is taken care of in our institution quite thoroughly, and so is the religious side of the men. We hope to make our institution a big industrial plant.

George C. Turner, Superintendent Boys' and Girls' Aid Society, San Francisco: I want to express my pleasure at being present and hearing these papers and the discussion that has followed. I think Mr. Hanna is absolutely right when he says the class of boys getting into our correctional institutions today is much more difficult than years ago, by reason of the development of the juvenile court work and probation. This is necessarily so, consequently the problem is that much greater and more difficult.

I agree with Mr. Derrick that sodomy is not as prevalent as

might be supposed. I do not find so much difficulty from that as from the evil effects of the cigarette habit. Cigarette users seem to suffer mentally, morally and physically, and this seems to me one of the things we need to fight, to prevent the use of altogether and absolutely.

I have had a little experience with overcrowded dormitories and I know from experience about the individual rooms, and I think we need to go slow on the matter of individual rooms because unless they are made cells, by locking them, there will be some difficulty with the individual rooms. I think when the individual rooms are to be used they should be used only for those fitted for them. The larger room, or dormitory, of twenty or twenty-five, under supervision, is perhaps the best thing for the majority of boys in institutions.

We can not dwell too much upon the necessity for recreation—healthy, active, supervised play in the institution and for all the children before they get to an institution.

I believe all reformation of boys must begin within and work outward, and so, rather than emphasize the disciplinary side of the institution, we should endeavor to obtain obedience to the rules by granting privileges and being in position to give rewards; then withdraw the privileges and deny rewards for bad conduct.

Adjourned, 12:00 noon.

WEDNESDAY AFTERNOON.**Auditorium Hotel Oakland, 2:00 o'clock.****WOMAN'S ASSOCIATION.**

Dr. Kenosha Sessions, Superintendent of the Indiana Girls' School, president of the Woman's Association, presided.

THE DELINQUENT GIRL.**DR. KENOSHA SESSIONS, INDIANAPOLIS.**

The social worker finds no problem more baffling, more complex, more interesting and to some more hopeless, than that of the delinquent girl. It is a growing problem, however, which is facing us, growing in numbers, growing in complexity; and we are questioning ourselves as to whether we in any way understand either its cause, its treatment or its cure.

Let us consider briefly what the delinquent girl is, her characteristics, why she is and what we are trying to do for her, both prophylactic and curative.

The impression prevails that a delinquent girl means an unchaste girl. While the terms are not synonymous, the fact remains that a very large per cent of the girls who come before the juvenile courts are brought there because of sexual offenses. The question at once arises: Why are there so many girls who are committing, what society, strangely enough, considers a very slight offense in its male members but is the most serious of all offenses when committed by its female members; an offense which the girl herself is more ashamed of than any other; one in which she must do more violence to her feminine sense than any other; one which she knows lowers her more in the estimation of men, whose esteem she values, than any other sin?

For an answer we must turn to the girls themselves and study them both individually and as a class, for there are certain characteristics which are constant in this class of girls. These constant characteristics, which may be called signs and symptoms, will

be considered under three headings: The type of people from whom the girl comes, her home and home surroundings and the girl herself, mentally and temperamentally.

With very few exceptions we find the delinquent girl comes of, either markedly vicious and immoral parents, or of generations of improvident, uncontrolled, undisciplined, unpurposeful people, people of low standards of morals, low standards of living; people who feel that they have done well when they have kept the wolf from the door and have kept out of the hands of the police; people who feel that the sacred duties of fatherhood and motherhood have been fully met when they have provided food and raiment for their children during the first twelve or fourteen years of their lives. The fathers are often drunken and grossly immoral; many times the mothers are equally bad. In a goodly per cent. of the cases where the mothers are not bad they are most inefficient, often indifferent, poor housekeepers, poor wives, poor mothers, weak in will power, helpless in discipline, the kind of mothers whose children soon override their feeble desire for them to do right and whose children soon get beyond their control and ken.

This is the type of intact home from which our girls come. The intact home, however, is by no means in the majority. In a large per cent. of the cases the domestic relations are disturbed. The father and mother both dead, or one is dead with the consequent step-parent, with whom the girl does not agree, or the parents are separated with one or both remarried, and, as a consequence of these various broken domestic relations the girl may have anywhere from none to four parents, all either vicious or inefficient. One girl who comes to my mind in this connection, at thirteen years old assumed the responsibility of the household, she being the eldest of five, the mother having deserted the family. The father, a drunkard, who provided indifferently, would frequently come home drunk and beat the girl and again he would leave her alone mothering and fathering these younger children for three weeks at a time. This mothering she did to the best of her ability, cooking, washing, ironing for the household, nursing faithfully a little brother who sickened and died. It was a pathetic sight, this little mother, a child herself, managing that funeral and these other children. In

time the responsibility became too heavy, it was all too grey, she sought a little outlet for the youth there was in her. What outlet was there for a girl so situated?

The resultant of all this is that such homes are far from comfortable or wholesome places in which children may grow up with the right conception of or the right attitude towards life. It is a dreary place, with poverty and dissension. She seeks youth and companionship in the streets and in the parks. She works in the home for which she receives no compensation and when she reaches about twelve or fourteen she goes out to work. And where does this girl with this background of family and home training or lack of it, go to work? Sometimes into homes, sometimes into factories or stores, many times to wash dishes or wait on tables at cheap restaurants or hotels.

So much for the girl's family and home surroundings. The whole subject of the girl's family and home surroundings may be summed up in the remarks of the old lady who was discussing her son who had fallen into the ranks of the army of the defeated. She said, "Yes, I know Johnnie has an awful temper but I can tell you right now he didn't get it from no stranger." These girls get the elements, positive and negative, which cause their delinquency from "no stranger."

It is well to keep this birth, breeding and background steadily in mind while considering the girl herself, mentally and temperamentally. Mentally we find at least fifty per cent. of the girls who come to us are markedly subnormal, almost if not quite to the point of feeble-mindedness. Should they remain in school indefinitely they would be unable to pass beyond the third or fourth grade. Of the remaining fifty per cent. the greater number of them are abnormal, erratic, poorly balanced.

The Wasserman test shows that twenty per cent. of the girls in the Indiana Girls' School have the syphilitic taint in the blood. Eighty per cent. of the girls having this taint have inherited it. Of these girls who have the inherited taint, not one has a normal mind.

Temperamentally, these girls have nothing of the stolid in their makeup. They are keenly alive; they respond and react to

every external force and influence, both good and bad, and as their surroundings and influences have for the most part been bad, they responded to the bad. Their emotional natures are highly developed. They are a bundle of emotions, good and bad, with no conception of how to control or direct these emotions, with a very misty, vague sense of right and wrong. Truthfulness, clean thinking, clean living, honorable, trustworthy conduct is a thing that must be taught them, line upon line. They love life, they love the gay, the bright, the beautiful, the joyous. They love to be happy. They are industrious, willing, kind, generous, loving, longing for love and praise, and appreciation, full of kindly affection for which there has never been any wholesome outlet.

This is the girl, badly born, badly trained, undisciplined, unrestrained, that is, so to speak, laid out upon the world at twelve and fourteen years of age; eager for all the things in life that every human being longs for, companionship, appreciation, joy and love. She is an easy prey and a delicious morsel for that ravenous beast known as society. It is not difficult to see why so many girls find their way into the juvenile courts. Organized society begins to take note of her at this stage of her career, rather late but better than not at all. If organized society had taken some note of the little girl mentioned above who at thirteen, mistreated by a drunken father, was struggling to mother the four younger children, and if organized society had given her some help, some encouragement, some appreciation, some joy in her life, who knows but the juvenile court would never have known her, the State have been spared much expense and this girl saved from the worst which can befall a girl. Organized society should have taken some note of this girl earlier than the time of which we speak; when she was a babe in her mother's arms. What a splendid opportunity for some woman, a college graduate, an educated woman, a good woman with intelligence, dignity and poise, to come into the life of this untaught, untrained, unpurposeful mother and to teach her the beauty of womanhood, the tremendous responsibility and the wonderful sacredness of motherhood.

There is no broader field and no more important missionary work today than this that lies at the very doors and rests on the

consciences of those women who have had advantages, who have leisure and who know what life means. It is for them to go into these homes, to these untaught mothers, and out of their abundance feed their poor starved, cramped souls, and teach them what womanhood means, what motherhood means, what life means.

To return to our girl in the juvenile court. She is found to be delinquent. To quote from the Century Dictionary, "A delinquent is one who fails to discharge an obligation." This girl, perhaps cursed with a blood taint before birth, reared in a home of poverty, inefficiency and discord, shoved out into a ravenous world while yet a child, does not really seem under very great obligations to anything or anybody. It is a little difficult to see just how she has failed to discharge her obligations and is, therefore, a delinquent. However, this is what she is called and she finds her way into one of the correctional schools. It is the purpose of these correctional schools to correct and undo in a brief two or three years the cumulative result of forty years of indifference and neglect on the part of organized society.

In such a school it is the purpose to put before the girl right living; every effort is made to eradicate from her mind and her life the things which have been hurtful, to get her into the right attitude toward honest work, toward herself, toward her fellow man and toward her Maker; to teach her to do right because it is right and to leave off the wrong because it is wrong—in short, constructive and reconstructive work with the girl herself, character building. Along with and as a means used in this training of the heart and conscience, is a training of the hand. The girl is given a thorough course of training in all the domestic arts. She is taught what her mother never knew, how to be a good housewife, a good home maker. When she has finished this domestic course and shows by her conduct in the school that her attitude is right, that she is trustworthy, she is then sent out into the world under the guardianship of the school to earn her way and to make for herself a new place in the world. A very encouraging per cent. of girls thus sent out have succeeded. They are living honorable, useful lives in the homes of others or their own homes, good members of society.

This brings us to the most perplexing problem of the delinquent

girl question, and that is, What is to be done with those girls who accumulate in such schools because they have not the mentality or are so poorly balanced or so mentally biased as to be unable to take the training and to grasp the idea of a personal responsibility and are, therefore, forever incapable of maintaining themselves materially or morally out in the world? Under the present system these girls when they become of age must pass out from the shelter and protection of the schools. Their mental age is from eight to twelve years with the physical age and development of twenty-one. A child's mind to direct and control the physical development of a grown woman. They go out into the world to prove an easy prey for society's dregs. It is financially foolish to send them out and it is morally wrong to send them out, a wrong for which society pays dearly in a depleted treasury and a demoralized citizenship.

Then what shall we do with them? Retain them in the schools? By no means. These schools are not planned for retaining girls but for getting them ready to go out. They are schools, therefore, educational and, therefore, expensive. This residue needs only custodial care. There should be in every State a custodial institution, either a colony of the Girls' School or of the School for Feeble-Minded, or a separate institution, preferably the latter, to which girls who are either unable or unwilling to avail themselves of the opportunities offered in the correctional schools and are, therefore, unable or unwilling to properly direct their lives out in the world, may be transferred, and where they will have the protection and guardianship of the State as long as they live or at any rate during the child-bearing period.

This institution should have about it plenty of land for farm, garden and stock, should be equipped industrially so the girls could do not only the work of the institution, raise and produce food for their own consumption, but it should have an earning capacity both outdoors and in. Outdoors there could be a sale from the surplus of the farm, garden and stock and indoors the sewing, weaving and laundry could be a source of income. Such an institution should not, except for the initial outlay, be a great expense to the State. These girls are every one able to earn their own keep, but they must be directed and protected from themselves and from society. So

directed, these girls are busy in useful, gainful occupations. They are self-sustaining. Instead of being destructive members of society they are orderly and productive citizens with a limited citizenship, and thus the State continues the guardian, protector and friend of these, the most unfortunate of all her unfortunate children.

DISCUSSION.

Mrs. Lucy M. Sickles, Superintendent Iowa Girls' School, Mitchellville: I concur in what has been said by Dr. Sessions. I have worked in two States and I have noticed no difference in the girls or their parents. They are the same in all States so far as I have been able to learn. It has been my experience that the delinquent girl is very similar to other girls. It was her surroundings that changed her or threw her off the right track. In many instances the mother was a border-line girl and had no idea of caring for and training her daughter. Nine cases out of ten the girls are more sinned against than sinning, because of the lack of home training.

We can care for this class of girls, for when they have finished our course of study, we find homes for them. At our school we have a day school, also a school of domestic science, where a class of twenty-four girls each term are taught the science and art of cookery. They practice their lessons in the cottage kitchens. This class also takes up hand sewing.

We teach dressmaking, fancy work, hand laundry and gardening. Each year we give a prize to the family which has the best kept lawn and flower beds. This year the first prize, five dollars, was won by the colored girls, who have a cottage, lawns and flower beds by themselves. The girls counted the flower beds and found we had just two hundred.

We have, for entertainment, an Edison moving picture machine. Last year we took the university extension course in geography, botany and the industries. This included the most prominent countries and cities; trees and plants, such as rice, sugar, coffee and cotton. This course also included the silk industry; iron and coal mining; the making of shoes, or from "pelt to welt". Sometimes we had these pictures twice a week and once a month

a moving picture. We had David Copperfield, Little Nell, Queen Elizabeth, the Vicar of Wakefield, Ivanhoe and others. These pictures were used for topics of discussion and language work in the day school. It was the greatest incentive for good behavior that I have ever known. It created a spirit of happiness as it relieved the monotony.

It gives the girls and the officers topics of conversation, each subject leading up to something else. There is always a desire to see and hear more, and if one is only careful in the selection of subjects it is a great educator.

It has made my work as superintendent much easier, as the discipline has been relieved at least one-half. The tension on the part of the girls has been broken and all are happy and in good spirits.

We also have for entertainment folk-lore dances and games. For two years we have hired a teacher for this department. The stories that go with the dances make it very interesting. We use this for evening entertainment in the cottage after the study period. It insures sleep as soon as a girl is prepared for bed. Saturday afternoons we devote entirely to this, when the lessons are given in the assembly room in the chapel.

All this tends toward the betterment of each and every girl, and in due course of time, when a girl is ready morally, spiritually, and physically, she is placed in a good country home by a state agent who has already visited the home and recommended it to the superintendent, who reports to the Board of Control, recommending the girl to be placed in this home. If the board approves, the girl is fitted out with good, suitable clothing and taken by the state agent to her home.

But the poor, border-line girl, the one who is not feeble-minded enough to enter an institution for such, yet who is unsuitable to be placed in a home on account of her mental deficiency, what of her? This is the problem. We can save and do save seventy-five per cent. of these delinquent girls; but the other class—the border-line girl—what shall we do for her?

Something must and will be done bye and bye. It may not be in your time or mine, but when the people at large come to know more of these subjects they will see the necessity of providing for,

segregating and caring for the border-line girl for life. Here is where more than half our troubles originate. Begin then at the fountain head. Stop the increase of feeble-mindedness and criminality by cutting off the supply.

Mrs. Fannie F. Morse, Superintendent Industrial School for Girls, Sauk Center, Minnesota: Some years ago there was held a meeting of superintendents of delinquent institutions, which left an abiding impression with me. The subject under discussion was the delinquent boy and girl in the institution, a discussion which finally crystallized into an intensive talk on the interest which would best develop the delinquent boy and girl—the sport, the employment, the general movements which would most appeal to the boy and girl in the institution. A few months previously I had accepted the superintendency of the girls' school for delinquents in Massachusetts. I had approached the position with the feeling of coming into a high privilege—that privilege of service to a group of fellow-beings who had been disadvantaged in the common struggle. Then why this fine discussion about the peculiar interests which might develop and appeal to the boy and girl in the institution? Why this fine line of distinction? Were they not human like ourselves? Would not the same human interest appeal to the boy and girl in the institution as would appeal to the youth outside the institution? Were they not products of natural forces like ourselves? If normal, what could so highly develop as natural processes? If subnormal or peculiar, surely what could so far lead to the normal as an environment of natural interests?

After years of work with the delinquent girl I am stronger and stronger of the opinion that the average delinquent girl is not in herself a peculiar quality. To be sure we must recognize always a quota of the delinquents as delinquent because defective, mentally, morally or physically. But are we not all creatures of habit? I am what I am; you are what you are, because your father and your mother before you were what you are; because of your rearing. So, more and more to me the line gets finer and finer even to a vanishing point. I find that the average girl comes to us because of a distinct lack in the home. The home is the direct influence—whether it be the ignorant home, the poverty stricken home, the de-

generate home, or the disintegrated home, in every case it is the resourceless home, the home which has neither felt a need for or supplied the interest for the youthful energy of the girl, which must find a natural outlet. It is a calamity that the American youth must be eternally and persistently entertained. It is a double calamity that that entertainment has more and more gone out of the home. The greatest need today is back to the home. I sometimes question if this very movement toward social centers is not going to prove another drawing line away from the home.

Our Home at Sauk Center is founded first on the principle that the delinquent girl on the average is a product of natural circumstances and as such in need of a normal and free and natural environment and training. Again, if the home is the greatest lack, then our school must supply that need. The greatest inefficiency of the traditional institution has been its failure to train for actual life outside the institution. There has been that artificial life that has been built up for the convenience of the institution but society will never turn about to meet such artificial life. If you would train for citizenship, if you would train for the community, you must bring the processes of your institution to meet social needs. So our school represents the community plan and the community spirit, with a natural freedom of life and thought and moral action that shall really fit for life and real living—a community with its intensified family cottage units of from sixteen to twenty girls, with the crystallization of family processes within these homes, and added to the home units, central community interests. Through such natural processes with all the ramifications which they represent we are trying to make our school a place for fitting for real life and useful citizenship.

Miss Margaret M. Elliott, Superintendent Indiana Woman's Prison, Indianapolis: In her very able paper, Mrs. Sickels said, "What shall be done with the border-line girl?" For years it has been a dream of mine that every State in the Union might have a custodial home for such people, for the woman or girl who is not able to care for herself, and it has come to me more clearly than ever since I have been employed in the Indiana Woman's Prison. We have what is known as the Correctional Department, where the

women are sent from the police courts, and occasionally from the juvenile courts. They are sent on short terms of from six days, up to thirty and sometimes ninety days. We have had women discharged on Saturday and returned to us on Monday, showing us very clearly that they were not able to care for themselves. This class of people should be kept under custodial care as long as they live. It may seem harsh, but it is kindness to the women to be placed under custodial care, on a farm, where the woman may be able to work, where she may be taught sewing, gardening, poultry raising and many other things. This farm, or home, might become self-supporting, or almost so. It is a crime, in my mind, to send out these women and send them back into the old environment, back to their homes. I hope the time is not far distant when every State in the Union will realize how necessary it is that this class of women should be kept under custodial care. They are not only a menace to themselves but to society. I hope every woman will raise her voice in order that we may have such a home.

Mrs. Lola G. Baldwin, Superintendent Women's Protective Division, Department of Public Safety, Portland, Oregon: The Oregon State Industrial School for Girls has been in operation since 1913. They have a farm of fifty acres located just outside of Salem. Five units have been planned, the first of which is now in operation. The first building cost \$30,000 equipped, and provides for thirty girls. This new Oregon institution is modeled after the best schools and is thoroughly up to date as to instruction and methods. It differs from other state institutions in having an advisory board of three women appointed by the Governor.

Referring to my own work, I will say that the Women's Protective Division of the Department of Public Safety of Portland, Oregon, was the first definite protective and preventive work established for women by any city in the United States. It was inaugurated in March, 1905, and deals with all matters pertaining to the safety and welfare of women. The department occupies a suite of offices in the Municipal Building and has a corps of four women workers, all under civil service.

Two lines of work are carried by this department. First we aim to protect the good girl by keeping local conditions so that it

is easier for her to do right than to do wrong; and second, to help the woman who may have transgressed to make a moral recovery. We have had ordinances drafted in many instances to better conditions under which women are employed. Through our efforts an ordinance has been passed prohibiting women from working in pool halls, bowling alleys and cigar stands adjacent to saloons, also an ordinance abolishing public dance halls, road houses, etc.

We carry the probation and parole work for the Municipal Court, and have assisted in establishing a Morals Court for the separate hearing of women's cases. Special attention is being given to venereal disease, and women serving sentences are given medical attention.

During the year 1914 we handled the cases of 731 new girls, which is the largest number the department has ever dealt with in one year. One hundred fifty-five girls were given after-care, 2,432 persons came to the office for interviews, and we made 604 special investigations, not including ordinary cases. The number of runaway or missing girls was 111, as compared with 75 the previous year. There were 53 sick girls and 24 insane; 134 cases were sent to institutions, which included hospitals, rescue homes, and state and county institutions. We have furnished 143 lodgings and 469 meals.

Under the Probation and Parole Department, we receive the women's docket every morning and attend those cases in court where we feel that we can be helpful, giving after-care in these cases also. We have handled 266 court cases, as compared with 95 in 1913, and we had on parole 61 girls, as compared with 17 the previous year, thus showing greater efficiency under the Morals Court plan.

For the past three years the department has had state-wide authority, the superintendent being a special agent of the Governor.

Dr. Sessions: The Bible says "Without a vision the people perish". We are so often in our work consumed with the technique and our own particular plan of procedure and the system we are working out and the many details, that we almost forget the vision and we almost forget that after all it is the grace of God that saves. Mrs. Booth, I am sure, will give us the vision.

ADDRESS.

MRS. MAUD BALLINGTON BOOTH, NEW YORK CITY.

I wish we had had all the men representatives of the Congress here this afternoon, as well as the ladies, for there are many questions, I am sure, that have already been spoken from the platform which would have had a vital interest to all in this association.

As I understand it, this meeting was convened not to speak only of woman's work and prisons but to touch from our standpoint the great field in which we are all so vitally interested. It seems to me that all through our Prison Congress meetings there naturally is a tendency for all of us, whether wardens or chaplains or physicians or prison workers, to bring to the thought and mind of our associates the difficulties, the hard places, the perplexities in our work; and sometimes when I sit and listen it seems to me that the outside audience must imagine that we have a terribly hard and discouraging problem and that there are some very hopeless and desperate things in it. That is merely because we are threshing out that side of the question. But if we could have meetings in which we forget our problems and our difficulties and talk only of the bright and happy and successful side, you would have a mass of testimony that would send you away with your faith strengthened, your heart thrilled and with the realization that our work is most wonderfully worth while and that we are in a field where through God's mercy and blessing we have been placed to undertake for Him a work which in days gone by was looked upon as almost hopeless, but which has been revealed to us as one of the greatest, most wonderful and most productive fields in the world.

As I said to the chaplains, there is many a pastor who when preaching in the pulpit realizes that half of his work is thrown away because he is preaching to people so righteous that they shift all his remarks on to their neighbors' shoulders. They do not need them. But when we stretch out our hand to our "boys" and "girls" in prison, when we come in contact with those in the shadow, it is an audience that recognizes its need. When they go into the prison school and have the opportunity of learning, they go hungry and eager because they realize their disadvantages in

the past. When they are being taught a trade they realize what they have lacked and what it is going to mean to them in the future. When we go to them with the blessed message Divine, it falls upon ground that has so long lacked the touch of the blessed dew or rain from heaven that we find it gladly germinating and bringing forth good fruit. We have learned to look upon it not as a desert place but as a great and wonderful corner of the vineyard which only awaits workers who have faith enough and belief enough to take the message and to sow the good seed.

I believe this meeting has been called not to speak only of the woman's side of the question within prison walls but rather to bring the woman's point of view, the woman's touch to the field, as we have seen it. As I have studied this great prison field for the past twenty years, it has seemed to me that our difficulties on the inside are what they are today and especially what they were yesterday, in the hard, pioneer days, because of society's attitude toward any soul that has sinned or strayed, especially toward the soul who was caught and had to suffer for it, for the world draws a very strong line of demarcation. It allows many a sinner to pass in and out, unchallenged, as long as he is not caught or branded, but the world's attitude in the past throughout our country, it has seemed to me, as I look over the broad expanse of experience, has been that the moment a man or woman was detected in crime and came under the shadow of the law, that moment they lost their place in the human family forever.

There was a little incident recorded in the papers on Long Island this summer which I should like to relate. From among a flock of beautiful white pigeons, one strayed away in a terrible gale and storm, and the foolish weak creature did not know where to find shelter. By and by, of all places to choose, it found shelter in a chimney. When the storm was over it came forth once more, its wings covered with soot, and flew home again. There was a great disturbance in the dove-cote, for the others seeing this black creature come among them fell upon it and killed it. There came in due time a shower of rain from heaven and the rain washed away the soot and showed the white features of the pigeon, and then it was noted that they gathered around it and mourned over what they had done, for they recognized it as one of their own family.

That has been very much the attitude of society. When a man or woman, boy or girl, has strayed, they are looked upon immediately as something outside the human family. Perhaps just their own mother stands by them, but they know only too well that when they come out into the world it will be to take the place of an outcast. In the past all of our high vaunted sentiments about "the fatherhood of God and the brotherhood of man" were made to apply to our foreign missions and the great wide world of the free, even to our colored brethren of the South, but when it came down to the one who had sinned and been caught, oh, no, it did not apply there.

That is one of the reasons that has made the problem what it is today. Now, however, there is a change of sentiment, and I think we could truly say that today the world is gathering around its failure and lack of charity in the past and is mourning over what in its ignorance it has done. I believe that the world stands today aroused. I believe it realizes the cruelty and injustice that made almost impossible the path of the man and woman returning from prison. With our new laws—the indeterminate sentence, the parole law, suspended sentence, the juvenile court—hope is entering in to guard and protect these people, whereas in the past every guard and protection was thrown away and they were cast out into the world branded to take a position among their fellows which was absolutely impossible. The wonder is that not so many went repeatedly back again and again to prison, but that any of them were strong enough and brave enough to stay out.

The attitude of society has complicated the work attempted within the institutions. That is one reason why the American Prison Association has been formed, that we may bring to the world the realization that this responsibility lies at their door as surely as at ours; it is just as much the problem of the American church today as is the problem of the heathen, and if we send to heathen lands our missionaries, if we do what we can to bring the christianizing influence to them, then we must send within the prison walls the realization that we have not forgotten them, and we must try in our home and business circles in the world outside to open the door of escape; of honest labor to these coming out to face life again. We do not fail to recognize the next phase, which is important, and that is the fact that those who are within prison walls are

responsible for bringing the touch of inspiration, the new vision, the turning from the old ways to the right ways of those under their charge. In the days gone by our prisons were places that blighted and cursed and brutalized those that went to them. Today so many changes have come in the institutions that our prisons are becoming places that will be blessings. I believe the day may come when every man and woman stepping out of our institutions will turn back on the threshold and say, "I thank God I ever entered there." Not because their stay was made so pleasant, not because it was made an easy place, for the prisons where the best discipline is maintained are generally the happiest, but because within, everything that could be done morally and educationally and spiritually was done, to lift them from the plane to which they had slipped onto a higher plane, where they could develop into better manhood and womanhood. If a man goes into prison as a burglar or thief, or a woman goes in with some taint or stain of crime, when they step out again they should have been cleansed from that evil and should go out ready to begin life over again.

I have always felt in my work within the prison walls that here was the time to prepare for the future and that they would be on the outside just what they become within those prison walls. When people have come to me on the outside and said, "How can we help the ex-prisoner?" I have always felt like saying, "Begin before he is an ex." The great thing is the preparation within the walls of our institutions. So many people say that the first day of new life is going to be the day of liberty. I feel the first day of the new life should be the day they enter the prison, the day sentence is passed and the old life is left behind them. That should be the first day of new hope and new inspiration and they should be made to feel that every day within those walls is a glorious opportunity that counts for the future.

Unless we make *new* men and women of those who come under our charge, all our work is a failure—to take the broken and wrecked material with which the home and church and school and society has failed and make it over. Good discipline in our prisons is fine; educational advantages splendid; trades to be taught to those who come to us almost essential; good food to those poorly nourished; good hospital care to those defective; all these things are

splendid, but my friends it is too big a problem for human brains and hands to settle and handle alone, and I for one, would say if I believed that the little bit of work I have been trying to do through the Volunteer agency, was only my work and I was to rely upon my efforts and that was to be the test of the question, I would give it up tomorrow. But I believe we are instruments and messengers. Human souls have been entrusted to our care. Human bodies are in our hands. Human destinies are to be made straight and beautiful and every man and women of us has the right to look up and realize that the dear Hand that opened the blind eyes, that cured the sick one, that brought life to the dead, is waiting to be stretched out with its loving touch to those who need it so sorely, and somewhere deep down in their hearts, somewhere back in their poor, distorted consciences, somewhere beneath the surface in their human soul is that which will respond to the *touch Divine*.

There is, within, the possibility that God has given to every human individual, purity and sweetness and helpfulness and love. We are made in the image of God and God knows that some of us did not have much of the image; but if we can yield our hearts and lives to the Divine touch, if we come out into the sunshine of His presence each day, something better, something sweeter, something more noble can be brought out in our hearts and lives that will make the world better. So it is with those who have had so little chance. They have come from the dark places; they have not had the educational or spiritual or home or social or church privileges we have, and sometimes as we search their lives we find them so bare that they seem almost hopeless. It is for us to stretch out the loving, human hand that shall give the human touch, that paves the way for the touch Divine, and when that Divine touch has come to them we can step back and realize it is all worth while, for these we have helped to find God are not going out into the world poor creatures to whom we have given crutches, but they are going out made over, so that they will be sound and strong, true and good, and they themselves will stretch out a helping hand to others we might never reach, becoming in the world a blessing where they were once a curse.

Adjourned, 4:45 p. m.

WEDNESDAY AFTERNOON.

Assembly Room Hotel Oakland, 2:15 o'Clock.

CHAPLAINS' ASSOCIATION.

The Chaplains' Association met in the Assembly Room of the Hotel Oakland, at 2:15 o'clock. In the absence of the president, Rev. C. E. Benson, of Stillwater, Minnesota, First Vice-President, presided.

Major Walter Collins, of Columbus, Ohio, offered prayer.

REASONABLE WANTS OF THE PRISONER.

ORVILLE L. KIPLINGER, CHAPLAIN INDIANA STATE PRISON.

Ten years of intimate, daily contact and association with prisoners in one of the best prisons in the country has given me an opportunity to know whereof I speak.

I desire to state frankly before this body of some of the longings I know prisoners have which I believe to be based on perfectly legitimate wants. At the outset let me say that I know perfectly well some prisons generously meet some of these longings. I know of no prison that meets them all, but I believe they might be frankly met, and I think every prison chaplain should use his utmost influence to win for the prisoners these things which they so keenly desire.

First of all as a background for free expression as to the reasonable wants of the prisoner let us think for a moment of the matter of "prison discipline." Of course there must be "rules" and "discipline" in a prison, but in too many prisons the application of "discipline" is still wholly in the direction of restraint practiced objectively instead of in the direction of constructive self-control. In other words force is still the thing depended upon to work out reformation in men.

Why are men in prison? Because they lacked self-control. There is yet in most prisons entirely too much of the "*thou shalt not*" to bring men to self-control. In the training of a child it is

not enough to *make* him do certain things that are right. Successful training *makes him want to do the things which are right*. Under the heavy and inflexible force of prison discipline whose central tenet is "*thou shalt not*" if a man becomes a good prisoner it is too often the result of fear. Ofttimes he learns more of cunning and deceit than he knew before he came to prison, is not changed by the force applied, and when the restraint is removed the chances are he will fall again. If there is no goodness in the man you cannot make him good by rules. Unless he is taught to see the advantages of right living as its own reward the so-called "discipline" is a total failure.

The most of things for which men in prison long are denied them in the interests of "prison discipline." That "a good discipline" may be maintained, prisoners must not talk to one another; must not speak to guards and officers unless spoken to; must on no account try to state their own side of a case—that would be "talking back"; must be denied, except twice in a month, the privilege of seeing relatives; must not see a newspaper except one which has been censored; must be denied the opportunity for self-expression which letter writing affords; must obey rules which they have no part in making. All these "*thou shalt not*s", and many others, are still in full force in many prisons "for the sake of discipline."

The convicted man entering prison is too often met by an officer who shows no interest in him other than perhaps an inquisitive curiosity. The moment he passes through the gate the iron hand of "discipline" is felt in a gruff command: "Remove your hat." Perhaps without a word the man is marched to a place where the next word is: "Remove your clothes." The next spoken word is a command to take a bath, followed by another to "Put on these clothes." Perhaps he is then told how to hold his cap and when to remove it and told when he enters the dining-room to fold his arms and sit in silence until the others begin to eat; never to take more bread than he can eat, and if he does by chance take more, to break off only that portion which he means to eat and place the rest forward on the table where it can be gathered up. Then he is told when through eating to fold his arms, look straight forward

and keep silence until the signal to march from the dining-room. He is told that he will find a book of rules in the receiving cell which he is to study, and ordered to march to the receiving cell. For the sake of "discipline" no genuinely kind word has been spoken. He is thrust into the receiving cell with scant courtesy and left for a time to meditate on the error of his way.

If the prison contains an old-time cell house the receiving cells are usually located there and almost at once the new prisoner is put at the most menial tasks until he is regularly assigned to labor, tasks such as carrying out night buckets and scrubbing the floor. Of course this work is necessary, but it might be done by men who have been longer in the prison and the new man given a moment to adjust himself and to see and understand for himself the necessity for it, when he would gladly join in the task. As it is, the custom makes the new recruit to feel from the beginning that he is a degraded creature and that the first desire of the prison is to humiliate him.

After he has his picture taken and receives instructions from the deputy warden he is assigned to work, possibly on some contract, possibly on some state work, where he is compelled to do a certain amount of work without pay, and if he fails or offends in any small particular he is promptly reported. Often it matters little how unjust or hasty the report, he cannot defend himself. If he denies the charge he is made to feel that he is considered a liar, for, for the sake of "discipline", the officer must always be supported. No matter if the man, having been some time in prison and having conscientiously tried to obey all rules, has only forgotten for a moment to fold his arms in the dining-room, if observed by an officer he may be reported, and the lightest punishment administered is a reprimand which enters into the records against him and goes down as a spot against him.

Such discipline makes a prisoner bitter and rebellious. The fact that he has not a word to say about how he shall act and live within the prison is a weak point in the so-called "prison discipline." Government without the consent of the governed is doomed to failure. The sooner penologists recognize this fact the sooner will all prisons have a "constructive discipline."

Perhaps the deepest longing of the prisoner is for the right of self-expression. Little opportunity for self-expression is given in the most of our prisons. In the average prison no prisoner would dare express his real feeling toward certain of the prison rules. And the objection which most prisoners would voice toward most of the prison rules is *that they had no part in making them.* Men will submit to almost any set of rules if they have a part in making them. Those prisons which have tried out to any extent a wise form of "*self-government*" have found no reason for returning to "*one man rule.*" Only recently a warden told me that he had established a dormitory in an old building out of which a cell block had been torn. When he was about to put some two hundred men in this dormitory certain of the prisoners went to him and said, "If you put a guard in that dormitory these men will kill him." The wise warden said, "We won't put a guard in there." He called the men together who were to occupy that dormitory and said to them, "I want you men to appoint a committee on rules and regulations for this dormitory." The men appointed such a committee and that committee suggested and the men adopted a set of rules far more stringent than any the warden would have framed if the matter had been left to him. *But the men obey those rules cheerfully because they had a voice in making them.*

Let the prison be a community within walls if necessary, and, as far as possible, let it administer to all its own needs and peculiar conditions. Combine the best in civil and military life by way of discipline, but give the prisoners some voice, if ever so little, in framing the regulations of the prison community, and one of the reasonable wants of the prisoner will be met in a way which will not interfere with genuine discipline but will foster the most constructive type of discipline.

Another longing of the prisoner is for a higher type of prison guard. No man should be employed in a prison, from warden or superintendent down to the most subordinate officer, who is not a man of such character that the prisoner will be benefited by contact with him. Every prison officer ought to be a man whom the prisoners may at least respect. But in the most of our prisons

are found guards to whom the prisoner must take off his hat, when he knows in his heart that the officer is his inferior, perhaps, in every particular except that he has never committed a crime. Too many prison guards are men of little education, culture or even common sense and all too often men with low moral standards. Such officers retard if they do not irrevocably prevent the reformation of prisoners under their care by counteracting the constructive work that is being undertaken by those connected with the prison who sincerely desire to help. When a prisoner desires to see the chaplain or the priest, such guards make fun of him and deride his efforts to reform. After being in the hands of such guards, when a prisoner does come into contact with his spiritual advisers it is with a mind full of suspicion and distrust, which makes the chaplain's work ineffective or at least exceedingly difficult. When such a guard ridicules the chaplain and tells the prisoner that the chaplain is a "hot air merchant" and "without influence" the prisoner is, to say the least, confused in his attitude toward the chaplain. It takes a long time for a prisoner to know who his real friends are, and in any institution which through political dominance or unawareness on the part of the management employs unfit guards if the prisoner reforms it is not because of the prison but in spite of it.

One way to make all our prisons go toward self-support as well as to make them more effective agents of reform would be to reduce the number of guards if need be and improve their quality. And to do this would be to meet another legitimate want of the prisoner. Prisoners want to be treated like men, not like children or beasts. They want men over them, besides the warden, deputy, doctor and chaplain, who are intelligently interested in them, who can sympathize with them and who desire to help them. They want men whom they can respect and trust, not men whom they hate and fear. They want men good enough and big enough to have faith in them. They will not respect an officer who is not smart enough to know when they are trying to "put it over him", but they want officers wise enough to give them credit when they try to do right. They want over them an officer with whom they can talk a thing over if it appears to be wrong, not that they may talk themselves

out of just consequences of misdeeds but that they may defend themselves against unjust reports that are colored simply to make them stick. This is a perfectly legitimate want.

The prisoner also longs for the abolition of the pernicious rule of silence. The silent system is antiquated, and it does not promote genuine discipline. It is, on the contrary, a breeder of discontent and unhappiness. It is a cruel and unusual punishment. It is impracticable because it is impossible to make it universal throughout the prison and any other plan of using it is discriminating and therefore unfair. In all prisons I know about where the "rule of silence" still prevails the outside trustees may talk all day long. The men who do work about the offices may talk. Gangs of men at work in the yard may talk, while fellows working in the shops or on contracts may not. That is the rankest kind of discrimination. Silence makes a man introspective, morose and bitter. He meditates continually upon his wrongs and sorrows, and this is a continual drain on his moral strength. It would be far better for the man to let him talk even if for a time he talks of his troubles. Many a prisoner who thinks never a man bore so great a burden as his would find his own trouble small as compared with another man's burden.

To some extent many prisons still holding to the rule of silence in a general way have relaxed it on occasion. I know of one prison which allows its men to talk in the darkened recreation room while moving pictures are shown once each week during the winter and every Saturday afternoon during the summer while the baseball game is on, and the privilege has not been abused. I know another institution which allows its men to talk while at dinner on Sunday and yet another which permits the inmates to talk at the noonday meal every day. Having experimented to this extent without evil result, I wonder why these institutions do not abolish entirely the rule of silence. In these institutions if a prisoner should whistle or sing at his work in shop or factory he would be promptly reported and perhaps reduced to second grade "for the sake of discipline" and his release on parole would thereby be retarded for a full year. Little wonder that, from the prisoner's point of view, the rule of silence is indefensible. Of course there

is a suitable time to talk and laugh and whistle and sing, and prisoners would thoroughly respect any reasonable rules governing the matter, but to do all of these things at times is another reasonable want of the prisoner.

The prisoner longs for less iron-clad rules regarding the visits of relatives and friends. Perhaps the average prison rule is that prisoners in first grade may receive visitors twice each month for one hour per visit. *Two hours a month allowed for contact with a good mother or a faithful friend!* Does it not seem a pitifully small allowance? The average prison will make exceptions when relatives come from a great distance and permit two visits in a day and possibly one visit the next day. But perhaps that prisoner will not be visited again in six months. What prison official who has had at least ten years of experience cannot match this experience: Two desperate men planned an escape. They needed the assistance of a third prisoner. They talked a first offender into helping them. Plans were all made. The time for the attempt was set. On the afternoon of the day when all was to be risked there came to the prison the mother of the first termier who had pledged himself to assist in the desperate plan which involved the murder of an officer if need be. After the mother left the institution this prisoner made request to see the warden and confessed to him the plot to escape and frankly told his own part in it and asked for no concessions because he had revealed the plans. Who can tell the influence for good the frequent visits of a mother or a good wife may have on the prisoner! For the time of the visit the prisoner rises above his environment and when he returns to his tasks they do not seem so monotonous and so burdensome. Such a visit is an event in the life of the prisoner. Then, if he could just tell some other fellow of the good time he has had others would be cheered. I have often gone into the room where the members of the band were gathered to see the faces of the whole group alight with pleasure because one of their number was telling of a visit just made him. All were cheered and made happier because one of their number had such a privilege and could share it with the others.

The only real reasons for such a restricted visiting privilege

are based in greed and selfishness. Prison contractors resent the absence of the prisoner from his task and prison officers want their day off. But provision might be made for larger visiting privilege without working hardship to any one, without hurting "prison discipline", and so another legitimate want of the prisoner might be met.

Yet another longing of the prisoner is for a prison newspaper that will give him all the worth-while news or for an uncensored newspaper from the outside and a far more liberal writing privilege. In spite of the censored newspaper the news does get in—in some form. Censoring papers is a failure and is thoroughly condemned by some very clear-thinking people among prison officials. It is a failure, because in spite of all vigilance some kind of a report of startling and criminal news does slip through. And coming by word of mouth and with many repetitions it is usually a garbled report that finally goes the rounds. I dare say there is hardly a prisoner in any prison in the land who did not get some kind of an account of the murder of Mrs. Allen; the Frank case and the Becker execution. Would it not be far better to let the men have accurate reports as published in the press than to feed their minds on reports that creep among them in details so lurid and colored that the yellowest sensational Police Gazette account would read like a Sunday school paper in comparison?

Is it not better for all the prisoners in an institution to know that one or at most a few prisoners got away from some institution than to hear that a wholesale escape was made? Is it not better that they should read the facts as to the recapture of a prisoner, or even read that the prisoner was killed in the attempt to retake him, than to hear that the guards pursuing him were killed? When a prison guard, or an official, or a warden's wife is killed why not let the plain facts come in rather than a garbled, sensational account?

The theory is that to read such things puts criminal suggestions into the mind of the prisoner. If this be granted, how much worse must be the suggestions which do come through the garbled versions of criminal affairs which sneak in to the men! I know a prison that failed to censor its moving pictures very carefully

where there was thrown on the screen in the sight of a thousand prisoners half a dozen different times pictures of crimes and escapes. Did a man try to emulate these actors? Not one. On the contrary, when in the picture the crook got what was coming to him, the prisoners cheered!

As to the matter of letter writing—why should the privilege be limited for those who can bear the expense of extra postage? I am well aware that “special letters” are freely granted in most prisons now, yet a man is often embarrassed in asking for them very often.

A man does not lose all his interests when he comes to prison. At least he should not lose them. How can he keep up his friendships, which may be invaluable to him, on the two letters a month which is the allowance made by the average prison? If the men who devised the rule of “two letters a month” for the good of “prison discipline” had to spend an average sentence of two years and four months in a six by nine cell they would come to view the letter writing privilege from the prisoner’s standpoint, understand why an unlimited letter writing privilege is one of the prisoner’s wants and would conclude that it was a legitimate want.

Though I have heard it expressed less frequently than any of these other wants, another longing of the prisoner is a fair wage for what he does. When a man commits a crime he does not lose his right to work nor his right to profit by his labor. Yet the State largely confiscates the labor of the prisoner or permits him to be exploited by a contractor. There is no greater source of discontent than this. Nothing in the prison strikes the prisoner as more unjust than that he should be compelled to work hard for the State for nothing or for some contractor at sixty-five cents per day. Any real discussion of compensation for prisoners would make this address too lengthy, but I hope the time will come when all our prisons will make provision to pay every prisoner a fair wage for whatever work he does, then oblige him to pay the cost of his maintenance and guarding, and permit him to have and to use the balance of his earnings.

When a prisoner is fed and clothed and furnished with even the stamp he puts on his occasional letter and has for the term of his imprisonment no compelling thought of earning and paying

his way he is *not being fitted to go out into the conditions which he must meet in society when released*. Even when in prison the prisoner should be taught to *earn and spend wisely and to save*, that he may be fitted to do just that when released. Instead of being subversive of "discipline" this would make for the truest discipline and would meet one of the most real wants of the prisoner.

There are many other reasonable wants of the prisoner. Time forbids further discussion. We close here. Let it be the privilege of the chaplains to bring such matters to the attention of those in authority, and if need be let them be wisely but persistently persuasive in their efforts to aid in securing for the prisoner any legitimate privilege which will help preserve or revive his self-respect, put him more and more on his honor and develop his faculties of discrimination and his powers of self-control. Any chaplain may do this with good conscience, well assured that he is not interfering with "prison discipline" but working for a truer and far more constructive and worth-while discipline.

From the vantage ground of ten years of close study and experiment I venture to say that the chief weakness of our prisons is what might be expressed as *too much paternalism*. The task of the remaking and mending of men will never be solved by anything superimposed on them from without but only by revealing to them powers they already have within and helping them in the sanest way to develop those powers.

The old practice of medicine dosed the patient all he could stand, and if he recovered the treatment was considered efficacious and if he died it was believed nothing could have saved him anyway. Modern practice is to establish a capacity of resistance, to assist nature where that is possible but to let nature perform the miracle of healing. I fear that the majority of our prisons are still conducted along much the same lines as the old practice of medicine and I very much doubt if such a method can produce one good man. You cannot "discipline" goodness into a man by any wooden scheme of discipline which seems to deny the most of a man's reasonable wants any more than you can give a man health by dosing him with a whole lot of nostrums.

THE CHAPLAIN'S WORK.

A. J. G. WELLS, WARDEN, STATE REFORMATORY, FRANKFORT, KY.

The Chaplain's proper work presupposes a proper condition for work. Before he can do his best work, he must have favorable environments. Blackberries do not grow in the winter-time; butterflies are not numerous in the Arctic zone; even the old family horse, that is known to be true and tried, can pull but little if hitched up with three others that are out of harmony with his efforts.

Brother Bell, a good Methodist minister, after a most powerful Holy Ghost sermon, had given the command to his members, on the beginning of a song, to go out among the sinners, and invite them to the altar. Uncle Fred Wilson, a gray-bearded patriarch, proceeded up the aisle, radiant with glory, clapping his hands, and on seeing his nephew, Virgil, a half-wit, said with much emphasis, "Oh, Virgil, don't you want to go to Heaven?" The response came with deliberation, "No, sir."

If the prison chaplain is the only one in the official family of the prison who believes in, or cares about, the Gospel of Christ, then indeed will the fruits of his labor be anything but satisfactory. Add to this a little positive opposition on the part of the warden and other officers, and the chaplain is placed in about the same position as the farmer who attempts to raise a crop in the Sahara desert. I make this statement with all due reverence, not forgetful of the fact that God is able to accomplish His purposes in spite of adverse surroundings, but with a knowledge of the further fact that it is His purpose to use human agencies.

I do not say that every prison official should be a devout Christian, but I am willing to say that every prison official should reverently acknowledge the power of the Gospel as the greatest force known among men for the reformation and rehabilitation of fallen man. This belief should be broader than any creed, dogma, or formula of religious cult—it should be of that full measure represented in the fatherhood of God and brotherhood of man. This faith, translated into daily action, will soon find expression in those helpful and elevating agencies which are but the hand-

maids of religion. There has existed, and does now exist, in some degree, a coarse and false idea that such sentiment is but a portrayal of weakness—very good for old maids and decrepit women, but impractical for the warden and other officials who have the very practical problem of dealing with criminals. The Christian religion never made any warden, or other official, weaker. "Religion is not a method, it is a life, a higher and supernatural life, mystical in its root and practical in its fruits; a communion with God, a calm and deep enthusiasm, a love which radiates, a force which acts, a happiness which overflows."—*Ward*.

"Religion gives a man courage—I mean the higher moral courage which can look danger in the face unawed and undismayed; the courage that can encounter loss of ease, of wealth, of friends, of your own good name; the courage that can face a world full of howling and of scorn—aye, of loathing and of hate; can see all this with a smile, and, suffering it all, can still live on, conscious of the result, yet fearless still."—*Theodore Parker*.

The simple truth is that there has been too great a gulf between the warden's ideals and the chaplain's ideals. The chaplain has been regarded in too many prisons as a kind of vermiform appendix—a part of the prison anatomy, but really not necessary, and sometimes harmful.

The principal work of the warden is to arrest evil tendencies in the prison life, and create, foster, and develop, within the prison, all those agencies possible which are reasonably calculated to cure defects in character, and develop manhood—hard work, exercise, education, and religion, in their broadest and most practical sense, are the agents the warden must employ if he shall answer to this, his highest, mission. If this be true, then it follows that the chaplain's work fits in nicely with the general plan of the institution.

The chaplain's work? Given these conditions, what may the consecrated man of God accomplish? What a fertile field for the redemption of fallen man! "Man's extremity is God's opportunity." The chaplain should, indeed, be "As wise as a serpent and harmless as a dove." He should be a good listener, a man of sound judgment. He should neither read the mail, keep the library, teach the school, nor act as parole officer. He should not permit

himself to be sidetracked, by prisoners anxious for parole or pardon, into parole or pardon attorney. If he should, in purely exceptional cases, depart from this general rule, it should be done free from solicitude, and without the prisoner's knowledge, either before or after the parole is granted. Even the Master complained, on one occasion, that some of His followers were more attracted by the loaves and fishes than by His teaching.

The chaplain's business is to create new impulses, inculcate new purposes, stimulate good impressions, and help the prisoner build himself a new life. This is enough for one man. It is the noblest business ever committed to the hands of men or angels. Knowing and realizing all this, the chaplain would not exchange duties with anybody this side of the Kingdom of Heaven.

A severe test to the chaplain sometimes comes from the prisoner who has been subjected to proper discipline. A single false note, born of weakness or lack of judgment, at this juncture, will do more to hurt the prison than can be imagined. If the chaplain is wise, it will only furnish him an opportunity to better instill into the mind of the prisoner a larger respect for law and discipline, which is of the very essence of religion.

What the chaplain may do with propriety is, at the proper time and in the proper spirit, discuss with the warden in private, any matter which directly or indirectly naturally affects the moral, intellectual and spiritual interest of the institution. If each have a common object, the general betterment of the inmates, they will find themselves in accord after an unbiased discussion, but in the event that they should disagree as to plans simply, the chaplain should yield to the head of the institution, keeping in mind always that they are headed in the same direction, working for a common purpose, and that eventually all branches of the road must lead again into the main thoroughfare.

What a world of information, what a world of misinformation pours into his ears! The wisdom of Solomon, as exemplified in the proposed division of the child between the two reputed mothers, is needed to separate the true from the false, the material from the immaterial. Nothing short of the grace of God and that "wisdom, awful wisdom, which inspects, discerns, composes, weighs, separates,

infers, seizes the right and holds it to the last," can read the labyrinth into which his daily duties may invite him.

He is not burdened with the routine of the teacher, yet his daily ministrations prove first aid to the school; he is not the librarian, yet the circulation of the library is doubled through his energy and tact; he has nothing to do with the discipline, yet the very agencies which he helps to create and sustain, help to civilize the prison; the prison physician gives the medicine, yet the chaplain, without interference or trespass, is the first friend of the sick, and in the extremity, away from father, mother and friends, represents the Great Physician, whose touch is magic, and whose remedies are infallible; he does not undertake to direct the work in the shops, yet by his kind deeds and gentle but courageous words to the downcast and disheartened prisoner, he puts a new song in his mouth, and thus, what was yesterday a burden, today becomes more nearly a pleasure; he makes no arrests, yet he preaches the gospel of peace; he makes no rules nor regulations, yet he inculcates the wholesome doctrine of implicit obedience to the powers that be.

His work is circumscribed by no department nor formula; he is the moral and spiritual lubricant for the whole institution; his work is spiritual; the influence which he dispenses is from on high; the telephone wire from this heavenly station must ever be intact; the message must be fresh from the throne. Like his Master, he goes about doing good, and in the going is careful to conform to the rules and regulations of the prison; his enthusiasm or his cause is not permitted to cloud his judgment; he is as careful as he is sincere, as modest as he is brave, as cautious as diligent—zeal always according to knowledge; ready always to give advice, but never in double doses; he is more earnest about the kind than the quantity; if at all in doubt, he is not afraid to even tell a prisoner to "shake well before using;" he remembers always that

If to do were as easy as to know what were good to do,
Chapels had been churches, and poor men's cottages, princes' palaces.
It is a good divine that follows his own instructions:
I can easier teach twenty what were good to be done,
Than to be one of the twenty to follow mine own teaching.

WEDNESDAY NIGHT SESSION.**Auditorium Oakland Hotel, 8:00 o'Clock.**

President Byers called the meeting to order at 8:00 o'clock.

Amos W. Butler, Chairman of the Committee on Resolutions, presented the following resolutions, reported favorably by the committee:

WHEREAS, The problem of the mentally defective is a most serious one and complicates all social problems, including that of the treatment of offenders; therefore be it

Resolved, The accumulation of accurate information and the diffusion of knowledge concerning such defectives is of great importance, and that we express our approval of the efforts of properly constituted and competent organizations formed for such purposes.

Resolution approved and adopted.

Resolved, That the American Prison Association reaffirms its belief in the importance of the establishment of a central bureau of identification, to be organized and maintained by the National Government in Washington, for the benefit of all the States, and for the purpose of bringing this matter to the attention of the proper authorities, the Committee on Organization is instructed to name a committee of five (5) members which shall report at the next annual meeting of this association the results of its efforts.

After a motion to approve the resolution, Mr. Burdette G. Lewis, Deputy Commissioner of Corrections of New York City, moved to amend the resolution by inserting after the provision for the appointment of a committee of five members the following words: "which shall have ample power to take such action as may become necessary between this time and the meeting next year."

The amendment was accepted and the resolution adopted.

Resolved, That in conformity with the actions of this association advocating the indeterminate sentence law, we desire to reiterate our belief in that principle and to emphasize the importance of the enactment of laws in all of our States and the District of Columbia, that will apply this principle to misdemeanants and short-term prisoners, as well as felons.

Resolution approved and adopted.

Charles E. Vasaly, St. Paul, Minnesota: I wish to offer the following resolution:

Resolved, That the incoming president of the American Prison Association appoint a special committee of five members to be known as the "Committee on Plan of Organization", and that said committee be instructed to report at the next annual meeting a plan of organization which will allow a real expression of the will of the members, with special regard to the selection of the officers and committees; said plan to include a method of co-ordinating the work of auxiliary societies with the main organization to produce the best results; the purpose of this resolution being to secure in this organization that democracy characteristic of the countries included in its membership.

Referred to Committee on Resolutions, with instructions to report tomorrow morning.

President Byers: The first paper on our program this evening is the report of the Committee on Statistics, of which Frederick L. Hoffman is chairman. This report has been prepared by Mr. Hoffman, a man who stands, I believe, in his profession, without a peer in this country. Unfortunately, Mr. Hoffman is not able to be with us but has sent his assistant, Mr. Fisher, to read the report. I now take pleasure in presenting Mr. Fisher.

PRELIMINARY REPORT ON STATISTICS OF CRIMES AND CRIMINALS.

FREDERICK L. HOFFMAN, STATISTICIAN PRUDENTIAL LIFE INSURANCE COMPANY, NEWARK, N. J., CHAIRMAN.

INTRODUCTION.

There has been no opportunity for the committee to meet and discuss the plan and scope of an original study and thorough reconsideration of the entire question of adequate, trustworthy and uniform statistics of crime and criminals for the United States or any considerable contiguous and representative section thereof. The burden of the work has, therefore, fallen upon the Chairman, who, without much special qualification for this duty, has thought it necessary to bring together such data and observations as seemed suitable for the present purpose. The distinction between statistics of crime and statistics of criminals is fairly well maintained throughout what follows, but this has not always been adhered to nor considered advisable. The urgency of a qualified inquiry into this subject can not be questioned by anyone even superficially familiar with it, in view of the enormous economic burden of crime and the deplorable moral aspect of the criminal tendencies of the age.

GENERAL OBSERVATIONS.

What is meant by crime and criminals depends largely upon the point of view. In the legal sense of the term a crime is "an act committed or omitted in violation of a public law forbidding or commanding it." Another definition according to the same authority (Bouvier's Law Dictionary), is that a crime is "a wrong which the government notices as injurious to the public and punishes in what is called a criminal proceeding in its own name." Statistics of crime in this sense are statistics of judicial procedure, in conformity to the statutory provisions of the criminal code. Since the laws vary in the several States and Territories, it is self-evident that no absolutely uniform statistics can be had. The provisions of law regarding crime and its punishment are, however, in the main sufficiently uniform throughout at least the continental United States, to preclude the possibility of very serious

errors in at least a tentative effort to determine with approximate degree the criminal tendencies of one period of time compared with another. In the strict sense of the term, a crime is a crime whether committed under a Federal, or a State, or a municipal statute. Crimes against the person are, in the main, punished with a fair degree of similarity, but there are wide variations in the punishment of crimes against property or in the statutory provisions regarding them. As has been observed in this connection with regard to some offenses, "such as murder, rape, arson, burglary, and larceny, there is but one sentiment in all civilized countries, which is that of unqualified condemnation. With regard to others, such as adultery, polygamy, and drunkenness, in some communities they are regarded as *mala in se*; while in others they are not even *mala prohibita*." Even as regards the first group of crimes there are important differences in legal procedure, for it is quite evident, upon even superficial consideration, that the crime of arson is much more general and drastically punished on the continent of Europe than in the United States; and the crime of rape is differently considered whether it is perpetrated against a person of the same race or against a person of another. Even the so-called "unwritten law" affects the punishment of crime in certain sections, for a number of cases occur annually where a verdict of not guilty is rendered in one section of the country which would unquestionably amount to a conviction in another.

Statistics of crime are not necessarily the equivalent of statistics of punishments. For illustration, the death penalty in the United States is in force in some States and not in others. The penalty lies against quite a number of crimes in some States, and against only a few in others. Train-wrecking, for illustration, is punishable by death in California, just as rape is in Kentucky and Virginia, and arson in Alabama, Delaware, Georgia, and Maryland. In some States there are three degrees of murder, and in others only two. Crimes may be classified, therefore, according to their nature or according to the degree of punishment. A classification of crimes in conformity to American legal conceptions is given in Bouvier's Law Dictionary (p. 478, pt. 1), and appended in full to this report.

Statistics of criminals have to do with the person committing the crime and all that has reference to the individual characteristics of the same, and the environment or other external circumstances having a bearing upon the offense committed, its punishment, and its possible prevention and control. The common statistics of criminals are extremely elementary, including only the sex and perhaps the age of the person. More elaborate data include the race or nativity, duration of residence in the community, the occupation, the conjugal condition, etc. Still more elaborate statistical inquiries include the family circumstances, the wages earned, the habits, the previous criminal record, the health, and even the physique. Such investigations as have been made by Lombroso on Italian convicts, and by Goring on English convicts, illustrate the possibilities of combining anthropological research with investigations into the causes or conditioning circumstances of crime. In any and all of these studies the factor of correlation becomes extremely involved when the same is extended much beyond the simplest elementary consideration. For all general purposes it would seem best to adhere to a simplified statistical classification of crime and facts regarding the criminal's person, etc., but for specialized research into the more obscure yet possibly most important aspects of crime and its causes, elaborate methods are called for, and in fact are absolutely indispensable.

These introductory remarks are sufficient for the purpose of emphasizing the difficulties of a strictly scientific study of crimes and criminals, particularly in the case of States or municipalities for which the original records are of more or less doubtful value. Before such progress can be made in this country, as a first effort towards the elimination of the present chaotic and confusing condition, there must be a thorough understanding of what has been achieved in older countries, with longer experience, and perhaps a better trained official prison staff, qualified, in a measure at least, to coöperate effectively in statistical research. It has, therefore, seemed appropriate for this occasion to bring to the attention of the American Prison Association the essentials of statistical presentation in the official reports for certain foreign countries, which, for the present purpose, may be considered decidedly in advance of the United States in the thorough understanding of the facts

of crimes and criminals, and the observed tendencies towards an increase or decrease in criminal offenses, as the case may be. It may safely be asserted without the slightest fear of contradiction, that the lamentable conditions existing in this country, the vast amount of lawlessness, and the trend towards an aggravation of crimes against the person are primarily due to public ignorance of the facts and their most serious implications.

JUDICIAL STATISTICS OF ENGLAND AND WALES.

The judicial statistics of England and Wales are published in two parts: (1) Criminal Statistics, and (2) General Judicial Statistics. The criminal statistics were revised and rearranged by a departmental committee, appointed by the Secretary of State in 1892, and the recommendations of the committee were carried into effect in the statistics for the year 1893. They have, therefore, now been published in a uniform manner for twenty years, and the methods as well as the results are of special value to the United States on account of the similarity in judicial procedure, and in the main in the statutory provisions regarding the more important crimes and misdemeanors. The introductory portion of the report has to do with the "state of crime" during the twenty-year period, with the number of persons tried reduced to the proportion of 100,000 of population. The table below exhibits in a concise form the fluctuations in trials for indictable offenses, which, in the opinion of the officials in charge, "has been found to be, on the whole, the best criterion of the amount of criminality."

CRIMINAL STATISTICS OF ENGLAND AND WALES. NUMBER OF PERSONS TRIED, 1893-1912.

Year.	Number of Persons Tried.	Proportion per 100,000 Population.
1893.....	57,357	192.7
1894.....	56,281	187.0
1895.....	50,818	166.9
1896.....	50,679	164.5
1897.....	50,736	162.8
1898.....	52,524	166.6

Year.	Number of Persons Tried.	Proportion per 100,000 Population.
1899.....	50,494	158.4
1900.....	53,628	166.3
1901.....	55,453	170.0
1902.....	57,068	173.2
1903.....	58,444	175.5
1904.....	59,960	178.2
1905.....	61,463	180.8
1906.....	59,079	172.0
1907.....	61,381	176.9
1908.....	68,116	194.3
1909.....	67,150	189.6
1910.....	66,389	185.5
1911.....	62,318	172.3
1912.....	67,530	184.8

This table shows only the number of persons tried and not the number apprehended by the police, but it is held that the data substantially confirm the statistics of crimes known to the police, to which, however, less value is attached. It is furthermore argued in the report referred to that "Owing to changes in procedure and practice trustworthy conclusions as to the increase or decrease of crime can not be based upon the figures of persons convicted or of persons imprisoned." This conclusion, of course, is debatable.

The classification of indictable offenses in England and Wales is given in six groups, as follows:

- Class I. Offenses against the person; with 26 subgroups.
- Class II. Offenses against property with violence; with 10 subgroups.
- Class III. Offenses against property without violence; with 14 subgroups.
- Class IV. Malicious injuries to property; with 8 subgroups.
- Class V. Forgery and offenses against the currency; with 4 subgroups.
- Class VI. Other offenses, not included in the foregoing; with 21 subgroups, making a total of 83 subdivisions, given in detail in the classification hereto attached, marked Appendix B.

All criminal statistics, according to the nature of the offenses, require reclassification according to the results of criminal procedure. The data for England and Wales for 1912, without reference to offenses, for the six groups of offenses, are given below:

RESULTS OF CRIMINAL PROCEEDINGS, ENGLAND AND WALES, 1912.

	CLASS.						
	I.	II.	III.	IV.	V.	VI.	Total.
Numbers for trial—							
Males.....	1,280	670	1,075	123	296	216	3,662
Females.....	192	23	89	9	39	37	389
Total.....	1,472	693	1,164	132	337	253	4,051
Not tried—							
No prosecution.....	1						1
No bill.....	31	9	9	5	4	6	64
Found insane on arraignment.....	12		1	2		2	17
Acquitted.....	379	66	163	31	41	37	717
Special verdict of guilt but insane.....	24					1	25
Convicted and sentenced, etc.—							
Death.....	25						25
Penal servitude.....	142	97	70	18	53	6	386
Imprisonment.....	713	438	791	67	201	138	2,348
Borstal detention.....	11	30	36	3	11	1	92
Inebriate reformatory.....	3						3
Reformatory school.....							
Fine.....	3		3			3	9
Recognisances <i>with</i> probation order.....		5	1				6
Recognisances <i>without</i> probation order.....	123	48	90	6	27	57	351
Otherwise disposed of.....	5					2	7
Total.....	1,025	618	991	94	292	207	3,227
Additional orders for—							
Preventive detention.....	3	16	8	1	4		32
Police supervision.....			1				1
Fine.....							
Whipping or flogging.....	1	5					6
Recognisances.....	3					17	20
Additional indictments against the same persons—							
Offences charged.....	151	239	471	14	223	46	1,144
Convictions.....	44	170	267	6	96	16	599
Further sentences imposed cumulatively.....	4	1	4		1		10
Aliens recommended for expulsion.....	6	5	5	1	2	1	20

The table is self-explanatory but of course the details of the eighty-three subclassifications require to be taken into account for a full understanding of the practical importance of the method of tabulation adopted in the English reports.

The classification of convictions by length of sentence is shown in the table following, the distinction being made as to imprisonment for periods under three years and penal servitude for periods over three years. This information also is given separately for the six groups, but the classification for the first three groups requires

to be consulted in the original reports to bring out the practical value of the classification.

RESULTS OF CRIMINAL PROCEEDINGS, ENGLAND AND WALES, 1912. LENGTH OF SENTENCES.

	CLASS.						Total.
	I.	II.	III.	IV.	V.	VI.	
Penal Servitude—							
20 years.....	2						2
18 years.....	1						1
15 years.....	1						1
14 years.....	1						1
12 years.....	1						1
10 years.....	10				1		11
8 years.....	3				1		4
7 years.....	20	4			2		26
6 years.....	4				1		5
5½ years.....							
5 years.....	37	18	12	5	15		87
4 years.....	10	5	7		4		26
3½ years.....			2				2
3 years.....	52	70	49	13	29	6	219
Total.....	142	97	70	18	53	6	386
Imprisonment—							
2 years and above 18 months.....	30	17	25	4	4		80
18 months and above 1 year.....	98	94	78	8	35	2	315
1 year and above 9 months.....	130	71	126	17	38	6	378
9 months and above 6 months.....	68	67	134	12	32	10	323
6 months and above 3 months.....	168	102	234	11	65	38	618
3 months and above 1 month.....	118	78	148	8	16	41	404
1 month and above 14 days.....	46	6	28	4	3	14	101
14 days and under.....	65	8	18	3	8	27	129
Total.....	713	438	791	67	201	138	2,348

The foregoing statistics have reference only to trials in courts of assize, but the returns are the same for trials in courts of quarter sessions.

There is a supplementary classification for the assize and quarter sessions courts combined, showing the sex and age of persons convicted, which, commencing with a group of ages under 14, continues with subdivisions of ages 14-16, 16-21, 21-30, 30-40, 40-50, 50-60, and above 60. It is apparently the practice to commence with the first year of the decade, that is, 31, 41, 51, 61, etc.

Previous convictions of persons convicted are classified (1) as to persons not previously convicted, and (2) persons previously

convicted, subdivided into total, on indictment, and summarily only. The number of previous convictions are subdivided into 1, 2, 3, 4, 5, 6 to 10, 11 to 20, and above 20. Then there are two additional columns for persons previously sentenced to penal servitude, and the number of cases in which previous conviction was proved in court for judicial purposes.

Most of the foregoing information is given separately for each county. Additional data are provided for appeals to quarter sessions from courts of summary jurisdiction and for juvenile courts, for which the returns are differently classified according to indictable and nonindictable offenses, in a large number of subclassifications to permit of a thorough analysis of the actual state of crime, and by comparison with previous years, of the criminal tendencies of the period. For all classes of offenses the comparative data are provided by single years since 1893, and by periods of five years. It is shown, for illustration, that the number of persons tried for murder was 65 during the five years ending with 1897, 63 during 1898-1902, 64 during 1903-07, and 71 during 1908-12. The number of persons convicted of attempt to murder was 30 during the first period, 35 during the second, 33 during the third, and 33 during the fourth. The number of cases of rape was 173 during 1893-1897, 160 during 1898-1902, 129 during 1903-07, and 102 during 1908-12. These statistics require only to be mentioned as crude illustrations to emphasize the practical utility of the data in any and all efforts to thoroughly understand the problem of crime and its relation to moral and social reform. The statistics would seem in the main well adapted to American requirements, but they would have to be collected through some central agency in a strictly uniform and thoroughly trustworthy manner.

CRIMINAL STATISTICS OF CANADA.

The criminal statistics for Canada are published annually as an appendix to the report of the Minister of Trade and Commerce. The report is made up of (1) indictable offenses, and (2) summary convictions. Indictable offenses are divided into six classes, practically identical with the classification for England and Wales.

It is explained that all cases tried by police and other magistrates under the acts respecting "Speedy Trials" and "Summary Trials by Consent" are included within indictable offenses. The summary convictions represent the cases disposed of under authority of the "Act respecting summary proceedings before Justices of the Peace." The introduction to the report includes a considerable amount of comparative data, but largely limited to the year under review and the year preceding. The observations and report are of much interest as regards particular forms of crime and a tendency towards an increase in particular communities, or the relation of immigration to crime, as, for illustration, the fact that "out of the 23 persons convicted of murder in the several provinces of the Dominion during the year 1913, five only were born in Canada, as against 18 born in other countries;" and "out of the 29 persons found guilty of the attempt to commit murder, during the year, six only were returned as Canadian born, while 22 were born outside of Canada, and one 'not given.'" The Canadian statistics combine both the facts regarding criminals and crimes, including among other facts the occupations, the civil condition, the birthplace, and the general as well as the educational status, age, and use of liquor, as well as residence of the person convicted of crime.

STATISTICS OF ENGLISH PRISONERS.

Statistics of English prisoners are contained in the report of the Commissioners of Prisons and the Directors of Convict Prisons. The table following gives, in abstract, the number of prisoners received under sentence during the year ended March 31, 1914, amounting, in the aggregate, to 151,603, against 166,023 during the previous year:

STATISTICS OF PRISONERS, ENGLAND AND WALES, 1913-1914.

Sentenced by Ordinary Courts—	1913-14.	1912-13.
(a) to Penal Servitude*	797	871
(b) to Imprisonment	135,140	149,522
(c) to Detention in Borstal Institution.....	487	571

*Of these prisoners the number who also received a sentence of Preventive Detention was, 59 in 1913-14, and 85 in 1912-13.

Sentenced by Court-martial—	1913-14.	1912-13.
(a) to Penal Servitude	11	10
(b) to Imprisonment	263	288
Imprisoned as Debtors or on Civil Process.....	14,138	13,941
Imprisoned in Default of Sureties.....	707	820
Total	151,603	166,023

The table below will show the proportion per 100,000 of population, for each of the categories of convictions since 1899, but abbreviated for five-year periods as a matter of convenience:

PRISON POPULATION OF ENGLAND AND WALES, 1899-1914.

PROPORTION PER 100,000 OF THE POPULATION OF ENGLAND AND WALES.

YEARS.	Population of England and Wales.	PRISONERS RECEIVED AFTER CONVICTION ON INDICTMENT.			Prisoners Received on Summary Conviction.	Total Receptions on Convictions.
		Sentenced to Penal Servitude.	Sentenced to Imprisonment, etc.	Total.		
1899-00.....	31,742,588	2.4	20.3	22.7	460.7	483.4
1903-04.....	33,378,338	3.0	22.9	25.9	543.0	568.9
1908-09.....	35,348,780	3.3	23.9	27.2	498.8	523.1
1913-14.....	36,919,339	2.2	18.8	21.0	348.5	369.5

According to this table there has been a decrease in the prison population, and the lowest point on record was attained during the year 1913-14. It is explained that an attempt was made during the year to ascertain the number of individual prisoners incurring the 136,424 convictions represented by the returns for that year, and the inquiry brought out the fact that 19,666 males, or 19 per cent., and 10,715 females, or 32 per cent., were committed more than once during the year.

The supplementary tables show the age on conviction, and the number of previous convictions and their proportion to the total, according to sex, amplified by extended and apparently thoroughly well considered critical observations. There is also a table on prison punishments, subdivided (1) as to corporal punishment, and (2) prison offenses, this latter being subdivided as to violence, escapes, idleness, and other breaches of discipline.

Among additional interesting facts are the *medical statistics*, given in the appendix, and briefly summarized in the statement

that the death rate in local prisons from natural causes was 0.55 per 1,000 prisoners received, the average for the previous 25 years being 0.50 per 1,000. The death rate from natural causes in convict prisons was 7.4 per 1,000 of the daily average population, as compared with 3.9 in the previous year, and 6.3 for the past 10 years. There are observations on the number of persons in local prisons found to be insane, the number of persons released from local prisons on medical grounds, the number of suicides in prisons, the number of feeble-minded prisoners, etc. These observations are amplified by a number of exceptionally interesting tables, giving the number of deaths from fourteen specified causes or groups of causes, for each prison separately, and according to sex, together with the daily average number of prisoners during the year, and the total number of cases admitted to hospitals for sickness or observations. Finally, there is an exceptionally valuable list of "Particulars of the Death of each Prisoner who died in the Local, Convict, and Preventive Detention Prisons, and of Inmates of Borstal Institutions and of State Inebriate Reformatories during the year ended March 31, 1914." This list includes the name of the prison, the sex and number of the prisoner, the age at death, the date of reception in the local prison, length of sentence, date of conviction, date of death, cause of death as returned by the Medical Officer, the facts as to whether the disease originated before or after reception into the prison, the facts as to the general health of the prisoner on reception into the local prison, the number of former convictions, and the previous occupation. By means of this table, extending over a period of years, a large amount of useful information is brought together and made available for critical and original analysis.

A second volume of the report of the Commissioners of Prisons contains extracts from the reports by the governor of each prison, the chaplain, and the medical officer.

The English convict was made the subject of a comprehensive statistical study by Charles Goring, M. D., Deputy Medical Officer of H. M. Prison, Parkhurst. The report was published in 1913, and the work at once has taken the rank of a classic on anthropology and anthropometric research into practically every involved

and complex aspect of the entire problem of crime. How far it would be possible to introduce such precise methods of physical and anthropological observations into American prisons can not be stated until a preliminary study has disclosed what has thus far been done to make the physical facts of prisoners a matter of record. There can be no question, however, in the opinion of the present commissioners, "that the anthropometrical data presented in a series of tables are of great scientific value," and that "this praiseworthy work is an attempt to present an outline of conclusions reached by the application of the statistical method to the data furnished by inquiry as to the physical and mental conditions of convicts in English prisons." It may not be out of place to restate here the conclusion arrived at by Dr. Goring, and as restated in the report of the Commissioners of Prisons as their official opinion, that "these data, within the admitted limits of the inquiry, pursued with remarkable patience and ability, point to the conclusion that there is not any significant relationship between crime, and what are popularly believed to be its 'causes'—inherited stigma, poverty, neglect, illiteracy, etc. In other words, there are no physical, mental, or moral characteristics peculiar to the inmates of English prisons." And, "What Dr. Goring insists upon is that conviction of crime is associated with constitutional rather than circumstantial conditions, and as these are heritable, the genesis of crime must to this extent be influenced by heredity; and the criminal diathesis, revealed by the tendency to crime, is affected by heredity to much the same extent as other physical and mental conditions in man." They, however, do not fail to point out that "this does not mean that a man is predestined to a criminal career by a tendency which he is unable to control. It only means that heritable constitutional conditions have hitherto prevailed in the making of criminals; which is to say, that variation of environment within the restricted limits examined . . . has not been sufficient, in the long run, to counteract or mask the force of inherited proclivity; which nevertheless is itself a force of varying intensity, and one which can be regulated, encouraged, or stultified by training and education, and example." The Commissioners, therefore, point out that "The principal lesson to be

learned from this inquiry is that crime can be combatted most effectively by segregation and supervision of the obviously unfit, i. e., by removing them to a more restricted sphere, where the stress and competitive conditions of modern existence are more flexible and less severe; and that tendency to crime can be defeated by personal service, having for its aim the raising of capacity, the strengthening of will-power, the teaching by example." And that "It is thus within the power of the State and of the individual worker to aid in the suppression of crime; of the former, by careful laws regulating the care and control of the unfit; of the latter, by entering into the lives and the homes of those who, in the absence of uplifting, and restraining, and inspiring influences, would, in obedience to some constitutional defect of mind or of body, inevitably follow the line of least resistance, and by failure to adapt themselves to social requirement by a succession of anti-social acts, gradually decline to the low estate of what is known as the 'criminal population.' It is these men and women who fill our prisons, not because they are born to crime by atavistic propensity or inherited stigma, but because they are constitutionally *unadaptable* to their social environment, but in most cases, not so unadaptable that human effort can not be successful in furnishing the means of escape from a criminal career, at least in the case of the majority, who, if weak, can be made strong enough to bear the burden of life without drifting hopelessly down the easy current which leads to penal servitude, and to a wasted and dishonored life."

I have quoted these observations in full because they precisely illustrate the practical utility of qualified statistical research into the underlying conditions of crimes and criminals throughout the world. The work by Goring is the first genuine contribution to the statistical study of the convict, and while, apparently, over-emphasis is given to anthropometric details, the facts are required for a thorough understanding if any safe conclusions are ever to be arrived at. In the search for the truth of any problem it is best to leave out of consideration all preconceived ideas as regards the practical utility of any particular group or class of data, but to include in the tabulation all the measurable or determining evidences which have a bearing, or are likely to have a bearing, upon

the problem as a whole. The investigation by Goring included the number and the class of the prisoner, the nationality, the residence, the asymmetry of the head and face, the face peculiarities, the shape of the forehead, eye-brows, eyes, nose, ears, hair, skin, lips, and palate. Social and economic data include the religion, the occupation, the standard of living, education, conjugal condition, age at time of marriage, children, the parents and their standard of living, habits, etc., age of the subject at the death of the parents, order of birth, nature of the family—whether criminal, insane, or diseased, penal period, remorse, alcoholic history, family history, tactile sensibility, general health, general appearance, temperament, temper, facility, facial expression, disposition, conduct, mental category and mental grade, physical defects and morbid conditions, apparent motive, initial factor, contributing factor, and the nature of the crime for which under punishment. The work by Goring should be made the subject of a thorough study on the part of everyone interested in crime and punishment, and most of all its prevention, and the reform of those who have fallen below the normal standard of social conduct, and become subject. There would seem to be no practical reason why corresponding investigations at least should not be feasible in American prisons, where there is naturally a much more complex population under observation on account of the large variety of races and nationalities in the United States, and the ever-present problem of differences in language, manners, morals, laws and habits on the part of the American people confronting the alien from practically every country in the world.

The statistics of prisoners and juvenile delinquents as collected by the U. S. Bureau of the Census for the year 1910 have only been published in the form of general tables and without the required observations regarding the methods employed in their collection, tabulation and analysis. The earlier statistics of prisoners and juvenile delinquents in institutions, for the year 1904, issued by the Census Office in 1907, are of more interest in that the analysis preceding the statistical tables provides an adequate understanding of the method adopted in the collection of the data, which are made comparable with the returns collected by the census of 1890.

The census returns, however, have only to do with statistics of prisoners and not with statistics of crime. Being limited to censal periods, or censal year, they do not provide a clear understanding of the problem of crime in the United States, in that they do not afford the means of determining the criminal tendencies of the population in the different sections, with a due regard to age, sex, and race, as well as the character or the nature of the offenses committed. The statistics are of value, but considering the great importance of crime as a social and economic problem, it would not seem going too far to insist that the subject should be made one of much more qualified, and thoroughly well considered, inquiry than has heretofore been the case. As a first step in this direction it would seem necessary to develop a public sentiment in favor of uniform judicial statistics, in conformity to the principles laid down in the English classification previously referred to and subsequent thereto a persistent and well sustained demand should be made for more adequate statistics of crime, upon a uniform basis, as derived from the collective experience of American penal institutions, requiring them to report to some central authority or agency, perhaps the Secretary of the American Prison Association, whose office would seem best equipped for such a purpose. If this should not be feasible a plan might be worked out for the consideration of Congress to provide the necessary machinery for the collection of the facts through the Census Office, which alone would be in a position to obtain the required official returns by means of actual transcripts from judicial records, in much the same manner as copies of death certificates are now obtained by means of the voluntary coöperation on the part of the health authorities of the several States. It is of the first order of importance that the records or data should be collected annually, published promptly, and subjected to critical analysis and extended consideration on the part of those qualified to do so. To bring about this required reform in the perfection of American statistics of crimes and criminals may take years, but the effort will be well worth while in view of the great practical value of the results. There can be no question of doubt but that the conditions of lawlessness and delinquency in this country are alarming, and that

the tendency is in the wrong direction. The best illustration in support of this conclusion is the statistics of deaths from homicides in American cities, which show a rate far in excess at the present time of the rate prevailing twenty years ago. There are also reasons for believing that the crime of arson is much more common in this country than in European countries, and there is thus conclusive evidence of the necessity for a nation-wide public interest in the need of a thoroughly well considered scientific and largely statistical study of the problem of crime and criminals, and all that is more or less pertinent thereto.

The foregoing observations are submitted in place of a report on the part of the committee, which has not had an opportunity to collectively consider the matter at all. It is to be hoped that the observations and suggestions will emphasize to American prison officials the duty of aiming, in their reports, at uniformity in the presentation of the facts upon the basis of some schedule yet to be agreed upon, but suitable for minimum requirements and adequate to the needs of the country at large.

APPENDIX A.

CLASSIFICATION OF CRIMES.

BOUVIER'S LAW DICTIONARY.

Offenses Against the Sovereignty of the State—

1. Treason.
2. Misprision of treason.

Offenses Against the Lives and Persons of Individuals—

1. Murder.
2. Manslaughter.
3. Attempts to murder or kill.
4. Mayhem.
5. Rape.
6. Robbery.
7. Kidnapping.
8. False imprisonment.
9. Abduction.
10. Assault and battery.
11. Abortion.
12. Cruelty to children.

Offenses Against Public Property—

1. Burning or destroying public property.
2. Injury to the same.

Offenses Against Private Property—

1. Arson.
2. Burglary.
3. Larceny.
4. Obtaining goods on false pretenses.
5. Embezzlement.
6. Malicious mischief.

Offenses Against Public Justice—

1. Perjury.
2. Bribery.
3. Destroying public records.
4. Counterfeiting public seals.
5. Jail-breach.
6. Escape.
7. Resistance to officers.
8. Obstructing legal process.
9. Barratry.
10. Maintenance.
11. Champerty.
12. Contempt of court.
13. Oppression.
14. Extortion.
15. Suppression of evidence.
16. Compounding felony.
17. Misprision of felony.

Offenses Against the Public Peace—

1. Challenging or accepting a challenge to a duel.
2. Unlawful assembly.
3. Rout.
4. Riot.
5. Breach of the peace.
6. Libel.

Offenses Against Chastity—

1. Sodomy.
2. Bestiality.
3. Adultery.
4. Incest.
5. Bigamy.
6. Seduction.
7. Fornication.
8. Lascivious carriage.
9. Keeping or frequenting house of ill-fame.

Offenses Against Public Policy—

1. False currency.
2. Lotteries.
3. Gambling.
4. Immoral shows.
5. Violation of the right of suffrage.
6. Destruction of game, fish, etc.
7. Nuisance.

Offenses Against the Currency, and Public and Private Securities—

1. Forgery.
2. Counterfeiting.
3. Passing counterfeit money.

Offenses Against Religion, Decency, and Morality—

1. Blasphemy.
2. Profanity.
3. Sabbath-breaking.
4. Obscenity.
5. Cruelty to animals.
6. Drunkenness.
7. Promoting intemperance.

Offenses Against the Public, Individuals, or Their Property—

1. Conspiracy.

APPENDIX B.**INDICTABLE OFFENSES CLASSIFIED ACCORDING TO THEIR NATURE, AS USED IN THE CRIMINAL STATISTICS OF ENGLAND AND WALES, 1912.****Class 1. Offenses Against the Person—**

1. Murder.
2. Attempt to murder.
3. Threats or conspiracy to murder.
4. Manslaughter.
5. Felonious wounding.
6. Endangering railway passengers.
7. Endangering life at sea.
8. Malicious wounding (misdemeanors).
9. Assault.
10. Intimidation and molestation.
11. Cruelty to children.
12. Abandoning children under two years.
13. Child stealing.
14. Procuring abortion.
15. Concealment of birth.
16. Unnatural offenses.

17. Attempts to commit unnatural offenses.
18. Indecency with males.
19. Rape.
20. Indecent assaults on females.
21. Defilement of girls under 13.
22. Defilement of girls under 16.
23. Incest.
24. Procuration.
25. Abduction.
26. Bigamy.

Class II. Offenses Against Property With Violence—

27. Sacrilege.
28. Burglary.
29. Housebreaking.
30. Shopbreaking.
31. Attempts to break into houses, shops, etc.
32. Entering with intent to commit felony.
33. Possession of housebreaking tools, etc.
34. Robbery.
35. Extortion by threats to accuse.
36. Extortion by other threats.

Class III. Offenses Against Property Without Violence—

37. Larceny of horses and cattle.
38. Larceny from the person.
39. Larceny in house.
40. Larceny by a servant.
41. Embezzlement.
42. Larceny of post letters.
43. Other aggravated larcenies.
44. Simple larceny and minor larcenies.
45. Obtaining by false pretenses.
46. Frauds by agents, etc.
47. Falsifying accounts.
48. Other frauds.
49. Receiving stolen goods.
50. Offenses in bankruptcy.

Class IV. Malicious Injuries to Property—

51. Arson.
52. Setting fire to crops, etc.
53. Killing and maiming cattle.
54. Malicious use, etc., of explosives.
55. Destroying ships.
56. Destroying railways.
57. Destroying trees and shrubs.
58. Other malicious injuries.

Class V. Forgery and Offenses Against the Currency—

- 59. Forgery and uttering (felony).
- 60. Forgery (misdemeanor).
- 61. Coining.
- 62. Uttering counterfeit coin.

Class VI. Other Offenses Not Included in the Above Classes—

Offenses Against the State and Public Order:

- 63. High treason.
- 64. Treason felony.
- 65. Riot.
- 66. Unlawful assembly.
- 67. Other offenses.

Offenses Against Public Justice:

- 68. Extortion by officers, etc.
- 69. Bribery, etc.
- 70. Perjury.
- 71. Escape and rescue.
- 72. Other offenses.

Offenses Against Religion:

- 73. Blasphemy, etc.

Offenses Against Law of Nations:

- 74. Piracy.
- 75. Slave trade.
- 76. Libel.
- 77. Poaching.
- 78. Indecent exposure.
- 79. Keeping disorderly houses.
- 80. Other nuisances.
- 81. Habitual drunkenness.
- 82. Suicide (attempting to commit.)
- 83. Other misdemeanors.

President Byers: The next paper, prepared by John Koren, of Boston, Massachusetts, will be read by George L. Schon, in the absence of Mr. Koren.

SOME FACTS ABOUT THE PRISON POPULATION.

JOHN KOREN, BOSTON, MASS.

The ever-growing demand in this country for statistical information about crime has become pathetic. It is like a cry in the wilderness that only wakens its own echo. Year by year committees of this Association, explaining the situation, have plead times with-

out number not only for nation-wide statistics of crime and prisoners, but for improvement of the reports made by the officials who direct our penal institutions.

No one can doubt the strength and genuineness of the demand for facts, nor has there been a lack of practical suggestions and recommendations. But what has been the response? Statistics of crime in the form of competent returns from the criminal courts of the country are utterly wanting. In isolated instances certain courts tell more or less fully about their work, but, generally speaking, there are no serviceable reports of crime as exhibited by the operation of the criminal courts. Judicial statistics in the proper sense we know not in this country.

Once in ten years the United States Bureau of the Census enumerates the prisoners and juvenile delinquents in institutions, and the published report forms the most authoritative source of information for the whole country about the various aspects of criminality and its treatment. Such an enumeration took place in 1910, but the general results were not published until 1914, and the complete tabulation and analysis will probably not appear until the end of the current year, if then. It is difficult to speak patiently of this delay. Some reasons for it are known, but they are not of a kind that an intelligent community should tolerate.

Then we have the multitude of reports for single penal institutions and the more or less consolidated ones appearing in the publications of different state boards. They are of varying degrees of excellence, or, in some instances more truthfully, of non-excellence. Very few of these reports, whether by individual institutions or by state boards, fully meet reasonable requirements and at best they can only supply local needs. Those who would look farther and gain a national view are either put to endless labor, much of it probably in vain, or simply abandon the quest for want of reliable sources of information.

Much has been said in explanation of these little creditable conditions which are intelligible if not excusable. We know that under our dual form of government there are very formidable obstacles to the collection of criminal judicial statistics on the part of the federal authorities. Few States possess the machinery for gather-

ing information about criminal court work through a central agency; and the difficulty of getting such a one established and endowed with the necessary authority has become almost a commonplace. I have faith that in time we shall outgrow this lamentable state of ignorance about one of the most important functions of civic government, and no longer be obliged to confess with great humiliation to this evidence of our inefficiency.

But I do not intend to repeat the oft-told tale of our shortcomings in respect to judicial statistics, nor to suggest possible remedies. Let us give attention to prison statistics. Here is a perfectly workable field, for the proper cultivation of which we hold direct responsibility. Of course, in the first instance, the federal government, through its Bureau of the Census, should institute more frequent enumerations of inmates of penal institutions, and having done so, should be compelled to give due publicity to the returns within a reasonable time. But beyond this, it is the duty of the different penal institutions or of boards controlling them to provide in a form which all can understand full statistical statements concerning the inmates under their charge and supervision. The faults by commission or omission of current prison statistics as published by institutions would furnish a fruitful text. But it is pleasanter and probably more helpful to impress upon ourselves the need of seeking and presenting accurate information because of the tremendous human issues involved through the vast number of men and women who wander in and out of our prisons. Unless we learn who they are, whence they come, how they are dealt with, and whither they go, we take a poor measure of the importance of our task, of means employed and of results achieved.

Of necessity the facts to be put before you are culled from the preliminary report of the Bureau of the Census on prisoners and juvenile delinquents as enumerated in 1910. As the details have not yet been published, I must for a large part confine myself to general totals. I am sure, however, that you will agree upon their enormous significance.

On January 1, 1910, there were more than 136,000 prisoners and juvenile delinquents in our penal institutions; there were committed to them during the entire year of 1910, in round numbers,

no less than 493,000 persons. Look at it in another way. On any day of the present time about 150,000 persons are serving sentence of imprisonment for some offense; more than one-half million human beings are sentenced by the courts and distributed among prisons in the course of any twelve months; and in the same space of time one-half million is discharged or paroled from custody. Still another impressive and sobering total: in the course of a year more than 1,500 persons breathe their last behind prison bars.

A mere mention of these staggering totals prompts us to learn more. Of the 493,000 prisoners and juvenile delinquents committed in 1910, 48,000 were women or 9 per cent. of the whole. Of the same total 23 per cent. were foreign born. Since the foreign born white in this country constitute about 16 per cent. of the total white population, it will be seen that the foreign born contribute rather more than their share of those committed to penal institutions. However, this general fact must be accepted with many qualifications and explanations which the limits of my paper forbid me to consider. In passing let it be remarked that evidence of a proportionately greater criminality in general among the foreign born than among the native born has not been established.

Of the total number of prisoners and juvenile delinquents committed during 1910, 120,400 are classified as colored, or 22 per cent. of the total. As the colored constitute only about 10 per cent. of the total population of the United States, it will be seen that they contributed prisoners quite out of proportion to their numbers. But it must be remembered that however disquieting this fact appears, the inferences to be drawn from it are subject to many qualifications. One should not generalize on so slender a basis.

The prisoners and juvenile delinquents who were discharged or paroled in 1910 numbered over 468,000. How many were discharged on the expiration of sentence and how many on parole is not known, yet the figures may well make one pause and ask, To what extent does a State discharge its obligations to this huge aggregate of men and women who are annually set free from the prisons? Is the helping hand held out there when needed? Does discharge mean simply a mechanical process—that the law has been satisfied—or that needful effort has been made to prepare these men and

women for reinstatement into that society from which the law separated them? Available statistics furnish no answer, but the mere statement of the numbers concerned reveals the magnitude of the questions involved.

Unfortunately, no statement is as yet at hand for the whole country showing offenses for which all the persons incarcerated during 1910 were committed. We have to content ourselves with facts in regard to prisoners and juvenile delinquents serving sentence on January 1, 1910. Of these no less than 14,316 had been found guilty of homicide, including the grave and lesser. This is equal to 10 per cent. of the whole number sentenced. If we add those committed for major assaults, we have a total of 21,488 serious crimes against the person; equivalent to 15 per cent. of the total. Naturally, in absolute numbers the crime of larceny holds first place, with that of burglary a close second.

If the offenses of all the persons committed during 1910 were known, the largest number in any imprisonment for any crime group would doubtless be found to be those imprisoned for drunkenness and disorderly conduct. The fact need not especially alarm us as an indication of an increased amount of drunkenness requiring punishment or custodial care. Rather it should make us contemplate the stupidity of the law which still so largely prescribes that drunkenness, which frequently is a mere symptom of disease, must be dealt with as a penal offense. One of the most pitiful chapters in our prison lore relates to our efforts in stemming intemperance by prison methods.

Some exceedingly significant totals relate to sentences of prisoners and juvenile delinquents as enumerated on January 1, 1910. There were at that time no less than 143 persons under sentence of death. Probably today the number would be found considerably larger. More than 6,000 were under sentence for life, meaning with few exceptions that the individuals concerned had taken human life. Doubtless, this group has been increased within five years, and if one could add those who have not been apprehended for murder as well as those who for some reason have slipped through the meshes of the law there would be a much more humiliating total.

As in years gone by, one of the most disturbing facts disclosed in regard to the prevailing methods of dealing with crime is the large number of short sentences meted out by our courts. Of the total of 136,472 prisoners under consideration more than 23,499, or 17 per cent., were sentenced to imprisonment for less than one year, and of this number 21,436 were sentenced to serve for six months or less; in other words, 15 per cent. of the whole were incarcerated for periods varying from a few days to six months. How meaningless, or better, how utterly indefensible the application of the short sentence is would receive new emphasis did we but know more about the offenses to which they were applied, and more especially if we could state the exact number of commitments that had taken place because of the defendant's poverty, his inability to pay a fine. This is an old story, only the numbers appearing at each enumeration are new and startling. To be sure, the widening use of probation coupled with the probationary fine has tended greatly to diminish the number of short sentences, and the miscarriage of justice resulting in many cases when poverty means imprisonment from which the better placed can buy an escape. Yet it is clear that, taking the country as a whole, these are new substitutes for the ancient penal principles.

So also is it with the use of the indeterminate sentence. Only 20 per cent. of the prisoners and juvenile delinquents were enumerated on January 1, 1910. Self-evidently the indeterminate sentence is applied almost exclusively to persons sentenced to State prisons, reformatories, and institutions for juvenile offenders. It is worthy of note that in the South Atlantic States only 222, in the East South Central States, 36, and in the West South Central States 131 of the prisoners in question received an indeterminate sentence. At the same time, in some of these geographic divisions many persons were sentenced during minority; but the figures given illustrate abundantly that in some sections of the country the indeterminate sentence principle has not yet taken a real hold. One wonders how long it will be before practically every man and woman, even those sentenced for minor offenses, will be committed without a definite limit and released, not mechanically, upon the expiration of a certain period of time, but when they have become fit for the freedom they once abused.

Such are some of the enormous totals standing out from an enumeration of prisoners and juvenile delinquents. They serve, among other things, to visualize the great task of those at the head of prison affairs, and their responsibility for results measured in terms of human salvage.

The figures I have given you resulted from the enumeration of the inmates of more than 3,500 penal institutions. Of course, the majority are minor establishments, yet in each of them there should be found that which makes for betterment; they should not be, what doubtless too many are, places to which men are sent for punishment only, and which they are unlikely to leave morally and physically improved.

I cannot help believing that the backwardness in many ways of our prison systems is due to lack of publicity, and to want of systematic form available to the general public. It has been common experience that people seize eagerly upon the decennial census reports of prisoners, for with all their imperfections they are a vast storehouse of important facts. There is no reason why those who wish to become informed about prison matters in their own States should not wait with a similar eagerness for the publication of the reports of state boards and of different penal institutions. But they do not, and a chief reason unquestionably is that these reports seldom provide the desired information, or at least not in a form which makes it easily accessible and intelligible. Besides, there is such lamentable want of uniformity both as to the size of statistical statements and methods of presentation that comparisons are almost impossible. Conditions would be greatly helped if at least the major prisons and reformatories both for adults and juveniles would adopt a uniform system of statistical reports and take greater pains about accuracy and clean-cut methods of presentation. I am well aware that I am referring to a part of the duties of prison officials which occasion them great tribulation. Nothing is easier than to continue in the old ways, whether they be good or bad. I fancy many men shudder when confronted with the unaccustomed task of compiling prison statistics. They are perhaps well aware that a careful count of turnips, potatoes, swine and other products of the prison farm do not yield valuable statistics; they know that for lack of comparisons or for lack of proper correlation of related

acts the long rows of figures adorning their reports have little meaning. But they are puzzled how to improve them.

Far be it from me at this time to wander into technical details about ways of stating facts in statistical form. That must be reserved for other occasions. But of this I am convinced, no prison official who is worthy of his place minimizes in his heart the value of systematic knowledge about his own work and the charges under his care. Therefore he cannot but welcome helpful suggestions even if they should impose upon him a little added labor and pains. Who shall offer such suggestions? I once more venture to say that also in this respect the Prison Association should lead. We have in times gone by had committees to consider the question of uniform and improved prison statistics. That on the whole they have not accomplished much should not deter us from a fresh attempt. The thing can be done, the end sought—to place our work on increasingly higher levels through a better understanding of the facts about it and to secure a larger measure of intelligent public support—fully justify it.

REPORT OF THE COMMITTEE ON DISCHARGED PRISONERS.

REV. EDWARD A. FREDENHAGEN, PH. D., NATIONAL SUPERINTENDENT
FOR THE SOCIETY FOR THE FRIENDLESS, KANSAS CITY,
MISSOURI, CHAIRMAN.

We all agree—

(1) That all lawbreakers are not criminals; that from one-half to two-thirds of them are accidental offenders and hopeful subjects for reformation.

(2) That this reformation must take place between arrest and release, and must be wrought by the officials who have the offender in charge.

(3) That the most critical time in the ex-prisoner's life is when he leaves custody to begin life anew.

We may not all agree, but the members of the committee who signed this report, do agree—

(1) That there is no criminal type and therefore there can be no criminal class. We hold that the criminal is an individual,

dropping from the normal to the subnormal or the abnormal. In more than fifty per cent. of the cases he can again be made normal.

In support of this position we quote Sir Edwin Ruggles Bryce, the President of the International Prison Congress. In an address at the International Prison Congress at Washington, D. C., in 1910, after saying that the English school of criminology had abandoned the doctrine of criminal type, he further stated that they had adopted the principle of "individualization of punishment." With this statement we agree, except that we would change the word "punishment" to treatment, so that the tenet would read "individualization of treatment"; for we consider the lawbreaker a sick man, sometimes socially, sometimes individually, but always morally sick and therefore a subject for, not punitive, but curative treatment.

(2) We may not all agree, but the members of the committee who signed this report do agree, that in proportion as we can secure the adoption of the above view by society as a whole and the public officials who deal with the lawbreaker in particular, so far can we succeed in restoring ex-prisoners to honorable self-support and upright living after release.

Having laid down the above premises your committee desires to submit three fundamental propositions:

I. That the restoration and reclamation of the criminal is a semi-public function calling for the fullest alliance of both public and private agencies.

II. That the prisoners' aid societies have an indispensable service to offer, and

III. That the fullest success of the prisoners' aid societies will depend upon the coöperation of the State.

Therefore let us note—

I. That the reclamation and restoration of the criminal is a semi-public function calling for the fullest alliance of both public and private agencies.

In support of this proposition we quote Mr. John Koren as follows: "The crowning test of our penological work is the after-care afforded the discharged prisoners. . . .

"The State is not yet organized for the discharge of its whole duty and must depend upon voluntary service. . . .

"However much the State may do there will always be need of supplementing it by private endeavor."

Mr. Koren's views are supported by Wardens R. W. McClaughry, Henry Wolfer and other eminent authorities.

In further support of this position we call attention to the two great principles which underlie and control the development of men, *compulsion* and *persuasion*.

In the ordinary community compulsion is expressed through the civil government as represented by the mayor, the marshal and the magistrate. Persuasion is exercised through the institutions of religion and education as represented by the minister and the teacher. Compulsion inculcates "the fear of the law which is the beginning of wisdom." Persuasion, expressed in personal influence and instruction, leads the subject to aspire toward higher life and superior character. It is not the preacher *or* the policeman, but the preacher *and* the policeman, not the minister *or* the magistrate, but the minister *and* the magistrate, not the priest *or* the potentate, but the priest *and* the potentate.

So with the lawbreaker in prison and after release. He will be reformed and restored to normal society, not by the warden and parole officer as opposed to the chaplain and the prisoner's friend, but by all of these in closest co-operation, applying compulsion as the beginning and persuasion as the completion of reformation, for reformation must begin in the fear of and respect for authority and find its fruition in the desire and the capacity for honorable self-support and upright living.

This calls for close coöperation of those public officials into whose hands the lawbreaker falls with the prisoner's voluntary friends, who, from love for mankind as a whole and the prisoner in particular, are both willing and able to relate him to normal society. If this can become recognized as common ground then we are far toward the correlation of agencies working for discharged prisoners, and especially those which, through organization and equipment, are known under the general term of prisoners' aid societies.

This brings us to our second proposition, which is—

II. That the prisoners' aid societies have an indispensable service to offer.

1. In the first place they are the arms of society reaching out to receive the returning lawbreaker. They are part, not of the penal but of the parental structure of the State. They are so closely related as to be a vital part of the home, church, school, hospital, sanitarium, factory, farm, in fact all the constructive agencies of society which lie above the crime-line. They can call into service all needed aid to re-establish the repentant lawbreaker.

2. They are equipped to render the type of service which the extremity of the occasion may demand. They can meet the ex-prisoner's extremest material needs with homes, clothing, tools, jobs, hospitals, medical attendance. They can introduce him to constructive social groups. They can aid him to acquire fuller education, normal habits, and a sure anchorage in moral and religious institutions. Further, they can follow him in his more or less devious career, guiding his uncertain steps, correcting his errors, tiding him over his crises, until he is able to guide himself and perhaps to assist others. If it be objected that many ex-prisoners disappear from the view of the Prisoners' Aid Society worker, the answer is that affection and interest expressed in doing good to the ex-prisoner will hold as large a proportion of them as need the special friendship and service that prisoners' aid societies can offer. Every prisoners' aid society which has rendered genuine service counts among its personal friends many successful and a goodly number of prominent men. These occupy places as ministers, teachers, business men, heads of departments, and many humble toilers who never forget or cease to love the ones who befriended them in their time of need.

Another indispensable service is that of handling extremely difficult cases. Every prisoners' aid society records many persons with whom they alone could succeed, such as the chronically sick, the cripple, the foreigner, the incompetent who means well but has little power to achieve, the semi-insane, especially those who have suffered from prison psychosis, and a long list of others whose

success depends upon the skill, the understanding and the never-failing patience of the prisoner's friend.

This kind of service is made possible by this class of experts who choose to do their work through the medium of the Prisoners' Aid Society. Many of them have acquired, in whole or in part, several skilled trades, have had thorough business training, have matriculated from the schools of higher learning with from one to four scholars' degrees, have sufficient knowledge of medicine and surgery to direct operations in physical healing, have matriculated in the vital sciences such as biology, general anthropology and abnormal psychology well enough so as to understand the abnormal man, and who, with it all, have so fully acquired the spirit and methods of Jesus of Nazareth that their ruling passion is to seek and to save the lost man. This class of workers, whose number is rapidly growing in the field of prisoners' aid, can offer and do offer a service for the reclamation and restoration of the lawbreaker which is so indispensable that the State cannot afford to ignore it. Further, society, for its own protection as well as for the restoration of its lost sons, is earnestly asking that this service be fully utilized.

Another indispensable service is that of applying the principle of persuasion within the prison itself. Under the direction of the chaplain the Prisoners' Aid Society worker can preach a gospel to which the prisoner will listen and respond, can hold personal conferences which will heal many a sore heart, and unsnarl the strands of many a tangled life. He can reinforce discipline by putting both his personal influence and his spoken message behind it; for he teaches that a good citizen is a man who keeps the law, not because he has to but because he wants to, and that the prisoner who keeps the discipline of the prison with the same spirit because, for the time being, it is the law of the State to him, will, in God's sight, be counted as a good citizen of the State in preparation for citizenship after release. Under his influence the motives of many men are changed, their reformation is begun and they are brought within the reach of the chaplain's loving and reforming hands.

The records of the religious organizations formed in the prisons by outside workers show that their men stand always against mutinies, and the number of men who have resisted officers is so small

that it does not even form a percentage of the membership and scarcely what a chemist would call a "trace". They furnish the best parole cases. Their members are found in the outside world in the churches of all denominations and are the ones whom the prisoner's friend mentions with pride as his most perfect work.

Our third fundamental proposition is—

III. That the success of the prisoners' aid societies will depend upon the closest possible coöperation with those agencies of the State which deal with the lawbreaker from his arrest until his final release from custody.

1. In the field of probation, where the Prisoners' Aid Society worker deals directly with the court, the process is much simpler; but in the institutional field, where the relations are more complex, adjustment is correspondingly more difficult. However, if the warden and the parole officer on the one hand, and the chaplain and the physician on the other, shall closely coöperate with the churches and the prisoners' aid societies; and if all officials of State shall deal with the lawbreaker with their eyes ever upon the period of his release from custody and shall plan to use the Prisoners' Aid Society to its fullest, then shall we have come to a homogeneous plan which will yield the largest fruitage.

2. Again, the success of the Prisoners' Aid Society will depend upon the coöperation of the State in *properly preparing the prisoner for release*. From the time of his arrest and entrance into the jail until he begins life again under the guidance of his first friend he should be in training for successful living after release, for on that training will depend the success of the Prisoners' Aid Society in his behalf. This will be clearly seen if you study the lawbreaker. As a rule he is *more weak than mean*. His weakness may come from bad heredity or a destructive environment, or both. The typical county jail, in which he will be confined, is a school for degeneracy with a degree course in crime. He reaches the prison or the reformatory physically and morally depleted. What happens to him there depends upon the type of prison. In the old type he acquired these three handicaps: the loss of initiative through oppressive discipline, the formation of a criminal acquaintance,

and "the prison brand which won't rub off". One feature of this prison brand was psychological—he had been a convict and he knew it—the other feature was social ostracism, which everywhere met him, excepting on the part of the Prisoners' Aid Society workers and a few supposedly peculiar individuals. In these latter days conditions have somewhat changed, but it still holds that a man's friends desert him when he enters the jail and that the average jail is the same school for degeneracy and crime.

But, thanks to many noble men, court and prison officials, private philanthropists and Prisoners' Aid Society workers, the situation is changing. Large-hearted and far-seeing judges have developed the probation system. Able wardens have established reformatories for first offenders and have even made reformatories of their prisons. Parole agencies have developed so that benevolent compulsion, exercised through law, may follow the man from the institution out into normal society and endeavor to re-establish him. Yet the type of individual dropping below the crime-line is about the same. A few are the product of good environment and for various reasons have gone wrong. They form the higher type of prisoners, who grade above the class needing the usual reformatory treatment and whose reclamation must be entirely normal; that is, they need that change of motive which comes through religious conversion.

The lower grade of prisoners, which forms about seventy-five per cent. of the population, are products of a defective environment in which the home, the church, the school and the community have failed to so develop the individual that he could not maintain himself above the crime-line. How far a defective heredity has contributed to his downfall has yet to be determined, but we are beginning to have some significant data upon this subject. For example, in the Kansas State Penitentiary, Dr. Faulkner (a university graduate with a Master's degree in sociology, graduated in medicine, including several psychopathic courses), applied the Binet-Simon test to the inmates of his institution. He startled us by reporting that over eighty per cent. were in or below the moron class, that is, their mental age was twelve years old or under.

The superintendent of schools in another institution, where the

average age on entering was nineteen years, reported that eight per cent. of the inmates were absolutely illiterate, that forty per cent. (omitting the fractions) were in the first school grade, twenty per cent. in the second grade, twenty per cent. in the third grade, making a total of eighty-eight per cent. in or below the third school grade or, for all practical purposes, illiterate. Of the remaining twelve per cent. of the population eleven per cent. were scattered over the fourth, fifth and sixth grades, while only one per cent. had attended high school. Although these figures will vary in different times in the same institution, yet they are sufficiently accurate to make plain the educational status of the average incomer.

A learned chaplain, who for twenty-five years examined new arrivals, claimed he had never found a man who was actively religious at the time of the commitment of his crime.

An intelligent warden stated that, through the many years of his service, he had never received a prisoner who was a high grade mechanic. Other wardens have said that they have not received enough skilled artisans to keep the institution in good economic repair. In other words, the average lawbreaker is economically incompetent.

A skilled physician, who began examining his men for the white plague, with horror-stricken face reported to the warden that he found over seventy per cent. afflicted with the black plague.

Many intelligent wardens, chaplains and physicians report that from seventy-five to ninety per cent. of the crimes were committed through drink as a determining factor.

If we argue that these statements are very strong and that these conditions are also found in outside communities, the answer is that it does not change the fact that the warden, the physician and the chaplain have a task so herculean that the strongest might well shrink from it. The wonders they have wrought through discipline, medical treatment and moral reform are worthy to be chronicled among the great achievements of this age, and greater still will be their future conquests.

To fit the average lawbreaker for honorable self-support and upright living by proper preparation for release so that the Prisoners' Aid Society can have that type of material out of which

good citizens can be made, the officials who deal with them must accomplish the following results:

(1) The prisoner must be so disciplined that his initiative will be strengthened rather than weakened. The honor system is only one of many means to this end.

(2) He must be made physically sound or as nearly so as possible. This physical soundness must be so reinforced by mental development that he will acquire the capacity for the next step, which is economic competency.

(3) He must be so trained that in some activity, either professional, commercial or industrial, he can attain self-support. As few have professional or commercial capacity it follows that nearly every prisoner must be trained in some skilled handicraft at which he can find steady work at living wages in the average community. Whatever prison industry fits the individual to be a blacksmith, or carpenter, or cabinet-maker, or bricklayer, or stonecutter, or stationary engineer, or electrician, or for any of the many skilled handicrafts which the average community demands, is a good system of prison labor; but any prison industry which does not fit a man to find a paying job in the average outside community, but instead compels him either to abandon what he has learned or to go to some faraway place to find it, is humanely unsound and economically unprofitable.

Even if the lawbreaker was not worth all it costs to save him it still remains that the major cost of crime is caused, not by the custodial care of the prisoner, but by recidivism. The cost of recidivism, or of the continuance of the individual in crime, has never been accurately determined. It can be fairly estimated as one thousand dollars for the average penal trial, fifteen hundred dollars labor loss while the offender is in prison, and twenty-five hundred dollars as the lowest estimate of the cost of supporting the active criminal for a year. If these amounts be only approximately correct it follows that the average reformatory will support and train for one year four inmates at the cost of prosecuting one penal crime, six inmates upon the labor loss caused by the average term of the second offender, and ten inmates for the amount one active criminal will consume in a year. This estimate is sufficiently ac-

curate to show that to prepare the average prisoner to support himself by skilled labor in the outside community is far cheaper than to use him in that kind of prison industry which has for its chief objective making the penitentiary self-supporting. However this may be, unless the prisoner is made physically sound and economically capable, the Prisoners' Aid Society has meagre opportunity to succeed in his rehabilitation after release. Yet their records show that from sixty-five to seventy-five per cent. of their cases attain reasonable success and that they lose less than ten per cent. into active and discoverable crime.

If the prisoner is to be properly prepared for release another step must be taken. His moral rehabilitation must be achieved. If we admit that reformation depends upon a change of motive, and that all other training is subsidiary to this, we will come to what the Prisoners' Aid Society believes to be the most vital of all factors for release—conversion to a religious belief and sufficient development in that belief to make it the dominating factor in the man's life. Long experience has taught the Prisoners' Aid Society worker that he can rely upon the future of the prisoner who has fully learned to fear God, and keep his commandments. In his view the work of the chaplain who is equal to his task, flanked by the discipline of the warden and the healing of the physician, is the primal factor in the reformation of the criminal and consequently in his preparation for release. Marvelous, indeed, are the changes that these leaders have wrought in the lives of lawbreakers, as all Prisoners' Aid Society workers can testify. What they shall achieve when adequately supported only the prophetic eye can see.

In the last analysis the success of the Prisoners' Aid Society depends upon the attitude of the people. As Bishop Fallows has well said, "We do not have to be converted to the truth of these things, we are converted already, but the people need to be converted." Superintendent Moore of the reformatory at Rahway, N. J., in an earnest plea before a former prison congress, asked that the public be not only just toward the workers in the prison world but that they give fair treatment to their released prisoners. He declared that the prison men had responded to the demands of the most advanced of the prison reformers and that they were send-

ing men out into society both reformed and trained to attain to success; but that the general public denied them adequate opportunity. They were refused employment, homes were closed to them and they were hounded by the police. If the public, which makes a demand that the workers among prisoners fit them for release, would meet them with the same spirit and opportunity nearly all of them would make good and be a credit to society. We quote his words in substance only. He is right. We demand of the public that they conserve our gains and save their own sons by opening to them both economic and social opportunity and thus lay a sure foundation for future success.

THE DISCHARGED PRISONER.

REV. CHARLES PARSONS, SUPERINTENDENT IOWA DIVISION OF SOCIETY
FOR THE FRIENDLESS, DES MOINES, IOWA.

The man released from prison on parole or expiration of sentence usually comes out with many notions which are more or less incorrect.

In the first place he is over-sensitive and self-conscious. He feels strange and thinks that he acts strangely. He knows that he has laid aside his prison garb but he thinks that every garment he wears is stamped "prison made", so that all who see him can read of his imprisonment.

Possibly the prisoners' "come-out" clothing is a "give away" in some States, but such is not the case in my State, Iowa.

Sometime ago a man just out of prison said to me as we were on our way from our home to business: "Mr. Parsons, do you think they will know where this overcoat came from?" "No, my boy, they will not, and, by the way, that is a good coat." After some reflection he began again: "But, Mr. Parsons, are you sure they won't know that I am from prison by this coat?" "Yes, sir, I am sure; but if you have any doubts about it, trade with me and wear mine; I am not afraid of your coat." This seemed to satisfy him on the clothing question.

This man's feelings are representative of the average man when he comes out.

He has been given this notion. One of the first things to be done for him by his first friend is to put him at ease by correcting his sensitiveness and false impressions.

It seems to me that too much has been said to the prisoner about being a "marked man".

In the second place the man just released from prison is apt to put a false interpretation upon what he hears while in a super-sensitive condition, greatly to his own disadvantage.

One of our boys went to church the first Sunday after release. When he returned to our house after the service he was greatly agitated. I inquired: "Bill, what's the matter?" "They have found me out, they have found me out." "How is that?" "Why as soon as I got in the church, a man met me and said: 'I am glad to see you out'. I wonder who told him." "Oh, my boy, don't worry about that, he knows nothing; he only meant that he was glad to see you out to church."

In the third place he thinks that all the world is against him and therefore he is not going to have a fair chance.

It is possible to encourage this notion to such an extent as to thoroughly unfit the man for the ordinary vicissitudes of life. The young man who has not been in prison, who is seeking to get a start in life, will gain success at the price of self-denial, devotion to his task and hard work. A man from prison ought not to expect to gain success at a less cost than the price paid by law-abiding young men.

While it is true that he will be looked upon with distrust because of his prison record, at the same time if he shows a reasonable amount of energy, devotion to duty and trustworthiness, fair-minded and large-hearted people will gladly coöperate with him in his battle for successful living. He can not expect the world to receive him with open arms, but he should remember that there are many ready to help him to be a good citizen and have a reasonable opportunity.

Recently we had a man from the prison who was very fearful that he would fail. During the first twenty-four hours after his release he met a number of men who had been out for many months all of whom gave a good account of themselves. The effect upon

the young man was to fill his heart with hope and courage. Finally he came to me and said: "Mr. Parsons, all your boys seem to be doing well, I believe I can succeed also."

The great object to be sought is the reclamation of the man, helping him to become a good citizen, a good man. Two things are essential for the accomplishment of this purpose.

First we must make conditions right. It is hardly fair to say to the man from prison, thou shalt not drink booze and smoke cigarettes, if we use the booze and cigarettes ourselves. In other words it is not fair to require a higher standard of a paroled prisoner than is required of others.

But it is argued that the booze and cigarettes are liable to weaken his moral fiber and ruin his life. If that is true they are liable to be detrimental to others as well as the ex-convict. The standard set for the prisoner is probably right. Then let us elevate the standard for all; if for no other purpose, do it for the sake of our weak brother who needs our help to overcome his weakness.

The second thing that should be done is to make the man from prison feel that all the world is not against him. He should realize that some will frown upon him, but also that many of the best men are on his side in the struggle for an upright life. We not only teach this but we say to the weak brother, "We will stand by you in the battle until you can stand alone", and we do it.

DISCUSSION.

Rev. W. G. MacLaren, President Pacific Coast Rescue and Protection Society, Portland, Oregon: The matter of handling men discharged from prison in such a way that they will not return there is not to be mastered by mushy sentiment. It is a problem in economics. Far too much money is being spent to send men back to prison, and far too little to keep men from going back to prison. If the powers that rule permitted stock to be treated after the order, and with as little human direction as convicts are usually treated, or used to be treated, public opinion would make itself felt upon the subject. Much, very much depends upon the attitude of the authorities towards the discharged man. It must be sympathetic, friendly, hopeful and encouraging, or all will fail.

The attitude towards the paroled or discharged prisoner is all wrong. We cannot forget that the man has been in prison, and until we can, little headway will be made. The damning fact must be forgotten, and the entire past blotted out. The man must start with an absolutely clean slate, and unless he does, the past will everlastingly be thrown in his face, and his best efforts will spell failure.

Sixty per cent. of the men and women sentenced to imprisonment for light offenses, for short or long terms, should not be jailed. The most expensive blunder of the city of Portland, and other coast cities, is the arrest of thousands annually. Were a manager of industry to conduct a company business along such extravagant and stupid plans, it would mean disaster for the company. Prisons must not be abolished, but the wrong methods modified. Men of the underworld are no longer regarded as human, but just a case to be sent to prison. The prosecuting attorney is not engaged to study the innocent. He is engaged to convict. Give us a public defender.

My ideas are not born of books. I have gained my knowledge from personal experience with the boys. I know the product of the underworld, of which the newspapermen write so much, and the preacher preaches. I know them, sick at heart, with the cry of suicide in their brains. I know those who have tramped the City of Roses and knocked at the door of churches, missions and charities and met with a cold response. The least thought of, of all mankind, is the discharged prisoner from the state's prison, city or county jail. The mongrel dog is given his bone to chew, the stray cat is provided with milk, the bird is given water to slake its thirst, but the doors of sympathy are too often closed against the ex-prisoner. He is everlastingly hounded like the jack rabbit and the dog. Tracked up hill, and down dale, driven from pillar to post, tantalized and exasperated at every turn, until he hardens his heart, and rushes to his doom.

What is it that the discharged prisoner needs most when he is released from prison or jail without a nickel in his pocket? His great need is trust and confidence—the life of mankind. No starving man can be moral or sane. Stop for a moment and consider the attitude of the world towards the discharged prisoner, without

a nickel, his toes sticking through his shoes, his clothing dirty, torn and ragged, without food or a place of shelter, friends gone and the brand that never wears off—"jail bird"—and the ever-inward fear that he may not be able to make good.

The need of a discharged prisoner is food, clothes, lodging, confidence with some employer to prove that he is eager and willing to walk straight, and a recommendation from some responsible person who is willing to take a chance on the man making good. No man can save a man's soul; you can give him the opportunity to save himself.

The Prison Brotherhood League is founded upon the principle: "Man is worth saving; man is worth treating as a man ought to be treated; trust him, treat him like an equal; don't scold him; don't tell him to do this or that." The instant you begin to show your superiority of virtue, immediately you lose your influence. I remember what an eminent English jurist said once when he beheld a criminal on his way to the gallows: "There, but for the grace of God, go I." We are all poor mortals, weak and erring.

Remember, if you tell a man you are interested in him and do not do something for him, he knows you do not mean what you say. The Christian who claims an interest in a man's soul and will not do anything for his body, I rate as a first-class humbug. In this enlightened age indifference must be set aside and the interested spirit of true brotherhood take its place. To be indifferent is to deny Christ. Jesus said: "Inasmuch as ye do it unto the least of these, my brethren, ye do it unto me."

The number of arrests by the police department in one year was 16,098. The number of cases which passed through the police court was between ten and eleven thousand, the balance of the total number being drunkards who were turned out in the morning. The amount of fines levied in the police court for the year, including the amount of bail forfeited, was \$26,505.94. The salaries of police court officials for the year was \$8,888.00, yet the police appropriation for the year was \$415,616.30, an enormous discrepancy.

I believe it is far better both from an economic and a humanitarian, Christian standpoint to try to abolish the hickory brigade as much as possible and give the man a chance to keep out of jail.

Colonel Edward J. Parker, Prison Secretary of the Salvation Army, New York City: As we listened to those remarkable statistics of crime, by suggestion I found myself thinking of the vision of Ezekiel in which he saw a "great valley of dry bones". (Of course, I do not wish to imply that the reading of those statistics was dry.) Those statistics gave us some idea of the vastness of that great mass of "dry bones" frequently called "the criminal classes". I must confess that I often find myself facing the question that Ezekiel asked "Alas, can these bones live?" I am sure that we who have attended these Congresses year after year, discussing all the phases of this vast problem, must agree that if the breath of life is to enter again into this great army of human derelicts, that if the problem of saving the criminal is to be solved, there must first be a separating of the various types into divisions and subdivisions, into such groups as those shown in the carefully prepared statistics quoted in the paper which we have heard tonight.

What an asset to the nation is this American Prison Association. Here come year after year unselfish men and women who are devoting their time, contributing their best thought to the greatest of all causes—the cause of humanity. At these annual gatherings we have heard expressed the highest ideals of legislators and the judiciary.

To the cause for which this Association stands has been consecrated the very best of thought and life and soul that the prisoners' aid workers have to give. All this for the man we call a criminal; the man who has failed to make good in the battle of life. No one will go away from this Congress without feeling that this Association is rich in knowledge of all conditions and needs as they exist today in this country. We have at hand abundant knowledge of penal codes and prison discipline; we are daily learning of a multiplicity of new methods and means for the meeting of old and new needs. This Association has among its members men and women who are experts in devising remedies to heal the ills of criminality; experts in handling the man while he is behind the walls; experts in bringing to the highest state of efficiency prison administration; experts who have spoken the last word in prison

ventilation and sanitation. Indeed, there is perhaps little left to be desired, so far as our knowledge of these matters are concerned.

I think that the nation is rich also in men and women who have faith for the reclamation of the vilest and worst of our criminals—faith that reaches far beyond that of the average criminologist. In every part of this great land are men and women who have unwavering faith in the salvation of Jesus Christ, as a real solution for most of our criminal problems. The organization which I have the honor to represent (the Salvation Army) stands squarely on that rock. We believe that there is little hope for the permanent reclamation of the criminal by any other means than his personal regeneration, which we prefer to call "salvation". Salvation changes the motives which direct man's conduct and imparts a new spiritual and internal strength to his will. We believe in prison discipline. Most of you know that one of the chief factors in the success of the Salvation Army is its almost military discipline, so that it is hardly likely that we should deery or minimize discipline. We believe that the criminal should be punished for his crime, but that the punishment should have behind it the motive: the man's reformation. We are almost inclined to say that all punishment which fails to lead in that direction is a failure.

With all our splendid equipment for housing prisoners, with such ideal environments as those we now find at Stillwater, with such excellent probation and indeterminate sentence laws as have been adopted by many of our States, it might seem that there is little more to be desired and little left for the prison aid worker to say. However, there is one word I should like to add in backing up the report of our committee which Mr. Fredenhegen has just read to us. That word is "coöperation". I think it is the word that needs to be spoken and emphasized before this Congress closes.

I plead for coöperation both without and within the prison; for coöperation between every agency whose object is to save the man and restore him to society. I plead for coöperation between those who make the laws and those who administer them. Coöperation between him whom the State appoints to administer punishment to the lawbreaker and him who strives to bring the prisoner to a realization of his wrong and to his heart a change of moral motive.

May I not plead for coöperation between the warden and the chaplain and coöperation between the chaplain, working within the prison, and the prisoners' aid workers, whose task it is to provide a link between the man within and that society without to which he hopes to restore the prisoner, a new man. I believe that every prisoners' aid worker will unite with me in my plea for this very necessary coöperation. It is my opinion that the service of the prison aid workers of the Salvation Army, as well as those of other organizations could render much more efficient service if this coöperation were given.

Before the judge sentences the man to serve his time, why should not the prisoners' aid society worker be linked up with him and especially linked up with the family he often leaves to become dependent on charity? It is my belief that the prisoners' aid worker can be of much value to the State if this coöperation is more fully realized. I think he is in a position to furnish valuable information which would help the State in determining the method to be employed in its work of reconstructing the man. Then, I would say, let that coöperation between the prisoners' aid worker, the prison official and the State continue in all their relations with the prisoner during his stay in the penal institution. At this point let me say that all such work in my opinion should pass through the hands of the prison chaplain. The Salvation Army asks for no open doors or opportunities in public institutions except such as are approved by the chaplain, and the prison worker in our opinion should never seek to deal with prisoners over the head of the chaplain.

From one end of this land to the other we are striving to do two things: First, to prepare an environment within society adapted to the ex-prisoner. Second, to prepare the prisoner for the place prepared for him. Let me ask that you prison officials coöperate with us in this task.

I cannot altogether agree with the previous speaker if he holds—as he seems to—that we should teach the released man to hide his past. Perhaps I have received the wrong impression from the incident he recited of assuring a prisoner that those to whom he was going for employment would not find out the coat he wore came

from the prison. In my opinion there is danger in trying to smuggle men into society, in helping them to hide their past. I do not wish to be understood as advocating the making broadly public the fact that the man we are placing is a criminal, but I do strongly maintain that we must teach the man to be honest concerning himself and his past. If we accomplish his salvation while in prison we need have little fear that he will fail when he meets the test in the outside world. He will not be anxious concerning what the world thinks of him, if the motives of his life have become pure and clean. Rather than smuggle him into society, possessed with a fear of failure or discovery, advocate his being held in prison until a place is secured for him, where he will be greeted by men willing to help him to make good, to smooth the rough places of his life and who, knowing his past, will count it an honor to help him back to good citizenship. The Salvation Army is providing these willing hands in every part of the land.

When a man comes from prison resolving to hide his past he will soon find it necessary to lie to do so. In spite of his lying, some one will find it out sooner or later. Then there is an explosion. He is condemned and ostracised and generally finds his way back to crime. Let us deal honestly with these men, and teach them to be honest in dealing with themselves. Let us be careful that we do not make the way of salvation too easy by sentimental preaching, by patching up or covering the past. Let us teach them to confess their sins and to seek salvation from sin and, by the co-operation of every agency this great Association represents, let us lead them back to the paths of honor and help them to find their place in the world's work, which today offers abundant opportunity to the fellow who is determined to make good.

J. H. McConlogue, Member Iowa Board of Control: We appreciate the splendid work done by the Prisoners' Aid Society in our State and I rise to express my gratification and satisfaction of the splendid work done by that society.

Adjourned, 10:30 p. m.

THURSDAY MORNING SESSION.**Auditorium Oakland Hotel, 10:15 o'Clock.**

President Byers called the Association to order at 10:15 o'clock, after which Rev. C. E. Benson, Chaplain of the Minnesota State Prison, offered prayer.

The following resolution was submitted by the Committee on Resolutions:

Resolved, That the president of the American Prison Association appoint a special committee of five members to be known as the "Committee on Plan of Organization," and that said committee be instructed to report at the next annual meeting a plan of organization, with special regard to the selection of such officers and committees; said plan to include a method of co-ordinating the work of auxiliary societies with the main organization to produce the best results.

The resolution was adopted.

A motion was made that the committee be instructed to have a report in the hands of the secretary thirty days before the next meeting of the Association, in order that copies may be sent to the members in advance. Carried.

President Byers announced the following persons as members of the Special Committee on Plan of Organization:

C. R. Vasaly, St. Paul, Minnesota.

Amos W. Butler, Indianapolis, Indiana.

Hastings H. Hart, New York, N. Y.

Joseph F. Scott, Eden Mills, Vermont.

Archdeacon B. M. Spurr, Moundville, West Virginia.

Amos W. Butler: I move that the secretary be directed to send a telegram of greetings from this Conference to Z. R. Brockway, of Elmira, New York.

A rising vote expressed unanimous approval and the secretary was directed to send the message.

Mr. Butler: I desire to move that this association instruct the Committee on Organization to report one or more names to be recommended by this Association to the United States Government for appointment as International Prison Commissioner to succeed the late Charles R. Henderson.

The motion was carried.

REPORT OF THE STANDING COMMITTEE ON CRIMINAL LAW.

JAMES P. GREGORY, CHAIRMAN, JUDGE CRIMINAL COURT,
LOUISVILLE, KY.

Your committee would, in the outset, take occasion to emphasize certain law reforms recommended in recent years to this body, which though of unquestionable wisdom have not as yet become incorporated as a part of the law of many States. Among these we respectfully submit there can, at this time, be slight room for a difference of opinion upon the following:

(1) A wider discretion to the court in dealing with mental and physical defectives, who are actually criminals, but who, by reason of such deficiency, should not be held to the same degree of criminal responsibility as normal persons.

(2) Simplifying pleading in criminal cases (a) by elimination of unnecessary technicalities and formalities; (b) facilitating joinder of charges having their origin in a common criminal impulse or purpose, and (c) by rendering amendment easy and effective.

(3) Abolish requirement for a unanimous verdict except, perhaps, in capital cases, and permitting continuance of trial to conclusion, when one juror during trial becomes disabled or disqualified.

(4) Legislation permitting, under reasonable restrictions, compulsory process for the return of witnesses crossing a state line, and at the time of trial, remaining beyond the jurisdiction of the trial court.

Your committee is strongly impressed with the growing importance of adopting more effective measures for the prevention of

crime, and the checking of criminalizing influences. Perhaps no reform in this direction would be more effective or far-reaching than one by which organized or commercialized crime could be reached and exterminated. There is no influence more pernicious, or a graver menace to the welfare of a law-abiding community than tolerance of practices subversive and defiant of law, indulged in by those who find such practices profitable. Law cannot be defied, even where unwise or unpopular, without bringing the gravest reproach upon the community where such practices exist, or without discrediting its officials, criminalizing the weak and those predisposed to crime, and breeding both the spirit of mob law and anarchy. Misdemeanors are not infrequently committed openly and defiantly because the perpetrator can either pay the fine involved, and make a comfortable profit; or, by reason of a debased or debauched law-enforcing power, safely calculate on escaping the penalties announced by law. Nor is this practice limited to misdemeanors where the profit is sufficient, and the security of the criminal against punishment satisfactorily guaranteed by unfaithful public officials. The activities of those taking these almost inconceivable risks for the sake of the profit afforded by such practice embraces not only the familiar practice of bribery, and corruption of elections, but also resort to every form of intimidation of witnesses, grand and petit jurors, ministerial and judicial officers. Though it be almost inconceivable that any one with sufficient spirit to call his soul his own could thus be intimidated, the wide prevalence of public gambling houses, illegal sales of liquors and habit-forming drugs, and offenses against election laws in most, if not all of our large cities, and many of the smaller cities and rural districts, known beyond question to exist, and very rarely punished, affords abundant proof of the effective employment of this means of security by the conscienceless benefactors of commercialized crime.

We conceive that there is no remedy for this evil except a radical quickening of the public conscience. No man can do his whole duty as a good neighbor or a good citizen who contents himself by merely leaving the duty of law-enforcement to public officials. Even the most faithful and vigilant public officials cannot fully discharge

this duty without the active co-operation of law-abiding citizens. It is the part of good citizenship not only to hold public officials to strict accountability for the performance of duty, but to be ever alert and sensitive to all infractions of the law. Though mob law be universally decried by all law-abiding and law-loving people, yet it is unquestionably true that mob law finds its main strength and passing tolerance in the inadequacy, inefficiency, or corruption of the law-enforcing power.

The public should be alive to the fact that the best of laws, or even perfect laws, cannot be made to work automatically. Their efficacy necessarily depends upon the conscience and purpose of the public servants trusted with their enforcement. When the interest and the influence of those finding it agreeable and profitable to suspend the operation of a particular law outweighs the interest of the public in its enforcement and the exercise of such power as the public is willing to employ to compel its enforcement, we have the appalling spectacle of a reign of crime, sufficiently masked, perhaps, as not to excite public inquiry and revolt, but a reign of crime nevertheless, gnawing at the very vitals of the law, criminalizing thousands, breeding the mob spirit in the breast of the law-abiding, and fanning the flames of anarchy among those indifferent to legal restraints.

It is often said that what we need is not more laws for reaching evil-doers, but enforcement of the laws already enacted. This is probably true of every civilized community. One more law, however, might be helpful—a law to compel the enforcement of law. True we have some such laws now, but such as commercialized crime has been pretty generally successful in evading. With a genuine awakening of the public conscience, and such law that can, under reasonable safeguards against abuse, be invoked by the public independent of any official action, or concurrent power both to the proper officials and the public, authorizing the summoning of faithless public officials before the bar of justice to answer for their protection of criminal practices, or lack of diligence in their discovery and extermination, supported by penalties of removal from office, disfranchisement and disqualification to hold office in the future, an effective remedy would be found—a remedy not only for the

immediate evil, but a remedy infinitely more important and far-reaching in its ultimate effect—a remedy for the most pernicious and prolific breeding places of crime.

CENTRALIZED BOARDS AND THEIR POWERS AND DUTIES.

P. H. LINDLEY, VICE-PRESIDENT WISCONSIN STATE BOARD OF CONTROL,
CHIPPEWA FALLS, WISCONSIN.

The developments of the last two or three decades along industrial, commercial, financial, and social lines, show abundant evidence of a tendency towards centralization of powers and centralization of authority. Since it has been shown in industrial and commercial activities that centralization has produced more economical and more efficient results than where power and authority are divided, it is only fair to assume that centralization will result in more efficiency and better economy in social work.

Sometime in the sixties, many of the Eastern States established Boards of Charities and Reform, and Boards of Charities and Correction. At that time, all the state charitable, reformatory and penal institutions were governed by local boards of trustees. As a rule, the boards of charities were clothed with but little power or authority. Their chief functions consisted in visiting the institutions at stated times and suggesting certain things and making certain recommendations to the local boards of trustees. Under the law that established these boards, they were not given power or authority to enforce their recommendations or suggestions, and in many instances it was found that the local trustees entirely ignored the recommendations and suggestions of the boards of charities.

Every local board had its own ideas as to what were the best methods to be employed in the management of its institution, and as many different systems of management were in operation as there were institutions in the different States. Investigation showed that there was much inefficiency and lack of method in the management of institutions, and the social workers of the different States were trying to inaugurate some system by which more efficiency and better methods would be employed in the management of institutions and better results obtained. Many of the social

workers did not believe that it would be proper to establish centralized boards with paid members. They did not believe that in philanthropic work, members of any board or any commission should be compensated for their services. At the national conferences which were held at various places for many years, a large number of representatives or delegates scoffed at the idea of creating a centralized, paid board and giving them full power of authority to manage the state institutions.

It might be well at this time to call attention to the conditions which led to the establishment of the first paid centralized board, and I will now use the Wisconsin Board to illustrate.

Prior to 1880, all the Wisconsin institutions were managed by local boards of trustees. There was an accompanying Board of Charities which had but little powers. The only powers that board had were to visit the state institutions, confer with the trustees and make recommendations and suggestions, which were seldom carried out. The legislature of 1880 was advised that the management of the state institutions was very bad; that there was no uniformity in their business methods; that every institution had its own methods; that there was no adequate accounting system and that on account of the loose condition of affairs there was every opportunity for dishonesty among the officials of the institutions. The legislature of that year appointed a committee to make an investigation of the institutions and report the result of such investigation to the legislature of 1881. That report of the committee was made and showed a very bad condition in the institutions. It showed that the responsibility of conducting the institutions was divided among various officers; that there was a lack of business accounting systems; and that at some of the institutions there was considerable dishonesty; that the dishonesty involved a number of business men who were compelled to return large sums of money to the State that had been unlawfully taken by them.

The question as to what should be done by the legislature to improve conditions of the institutions was agitated for some time, but it was finally agreed to create a centralized board for the management of the state institutions and abolish the trusteeships

of the institutions, but not to interfere in any way with the powers and duties of the then existing Board of Charities and Correction. All the county institutions such as poor houses, asylums, jails, police stations and lockups, and all private benevolent institutions were left subject to inspection by the State Board of Charities.

Immediately after the establishment of the board, it took charge of all the state charitable, reformatory, and penal institutions, and started a reorganization of those institutions. In all institutions where either the chief officer or any of the other officers were found to be incompetent or inefficient, they were removed and competent heads substituted. It was found necessary to change practically all of their business methods and change many of the methods that had been employed in the care and treatment of inmates of the institutions for mental defectives and to change the policies in reference to the reformatory and penal institutions. In the educational institutions, such as the Industrial School for Boys and the Schools for the Deaf and Blind, many changes in methods had to be made. Among other things, the board adopted a new and up-to-date accounting system, and also adopted a central control system for the finances of the institutions so that the board knew at any time what the conditions of the finances were in the various funds, and also had a check on all expenditures. An estimate system was adopted by which monthly estimates had to be made to the board of the expenditures for the future month, and no institution officer or employe could make any purchase until after the estimates for expenditures had been received and approved by the board.

The changes made by the board resulted in a short time in much more efficiency and economy in the institutions, and much better care and training of the inmates.

The board, that is, the centralized board known as the State Board of Supervision, and the State Board of Charities, continued to exist for a period of ten years, or until 1891. The legislature of that year was advised that the two boards did not get along well together and that the centralized board, known as the State Board of Supervision, ignored many of the recommendations and suggestions of the State Board of Charities, and that no harmony

existed between the two boards. The question as to what should be done to correct matters was taken up and considered by the legislature, and it was decided to abolish both boards and create one centralized board, giving to that board all the powers and duties of the two former boards.

The law was enacted and went into effect April 1, 1891, and since that time the centralized board, known as the State Board of Control, has had the management and control of all the state institutions and has certain supervision over county asylums and also is clothed with power to visit and inspect all poor and almshouses, police stations, jails, and lockups, and all private benevolent institutions that are incorporated.

Since 1891 many additional powers and duties have been imposed upon the board. In 1905 the legislature enacted what was known as the Wisconsin Parole Law, which provides that certain convicts in the state prison at Waupun may be paroled. The State Board of Control was made the parole board of that institution and it is clothed with the power to parole convicts who are eligible, with the approval of the Governor. In 1909, the legislature enacted what is known as the Wisconsin Probation Law, which gives to the courts power to place on probation any person who has, for the first time, been convicted of a felony. All of these probationers are placed under the supervision of the State Board of Control and that board has power at any time to terminate the probation period of any person placed on probation when a violation of the probation contract is made. The legislature of 1911 imposed upon the board the duty of making an investigation of the question of the mothers' pension, which investigation has been made, and the legislature has enacted a law giving the State Board of Control supervision over all home-finding societies in the State.

1st. It might be well to here review some of the powers and duties that are given to this board by the statutes:

(a) The appointment of superintendents and principal executive officers of each institution.

(b) The purchase by contract under the competitive system of all the staple supplies required by the institutions.

(c) The visiting, at least once in each month, of all of these institutions by either a single member of the board or by committees of the board.

(d) The examination and passing upon monthly in advance of all estimates for expenditures.

(e) Meeting monthly at the capitol at Madison, for the purpose of auditing all bills for expenditures previously authorized, approving estimates, awarding contracts for supplies, taking care of correspondence and attending to all other matters which may come before the board.

(f) The planning and supervision of all improvements to the state institutions.

(g) The letting of contracts for prison labor at the State Prison and the State Reformatory and the supervision of the work under those contracts.

(h) The visiting of the State Prison, the State Reformatory and the Industrial School, quarterly, for the purpose of meeting as a board of appeal and parole.

It is also the duty of the board:

(i) To act as commissioners in lunacy, with the power to examine into the mental condition of any person committed to or confined in any public or private hospital or asylum for the insane or restrained of liberty by reason of alleged insanity, at any place within the State; also to act as a commission in lunacy to determine as to the mental condition of any person believed to be mentally unsound, confined in any state institution except the state hospitals for the insane.

(j) To transfer inmates of any state institution to any other state institution, in a proper case, and to make transfers from state to county institutions, or the reverse, as provided by law.

(k) To investigate all complaints against any of the state institutions, or against its officers or employees.

2d. The supervision of all the charitable and correctional institutions aided at all by the State, and all industrial schools, hos-

pitals and asylums, organized or existing or which shall be organized under Chapter 86 of the Wisconsin statutes of 1898 (the law providing for incorporation).

These duties include:

(a) Making quarterly visits, either by the entire board or a committee of the same, to all the county asylums for the chronic insane and generally supervising and controlling the care of their patients.

(b) The licensing of the building of new county asylums and the approval or rejection of all plans for the same and also plans for changes and improvements in those that already exist, which affect the care and comfort of the patients.

(c) Yearly inspection of the Industrial School for Girls and of any other industrial school which may be established under the laws of the State.

(d) Semiannual inspection of Wisconsin Veterans' Home and making an annual report to the Governor as to the method of conducting the business of that institution, the care of the inmates and other matters relating to the efficiency of management.

(e) The investigation and general supervision as to the sanitary condition and general care of inmates of all other charitable institutions incorporated under the laws of the State.

3d. The inspection and supervision and correction of faults in all county and charitable and penal institutions not previously mentioned, and all city and village police stations and lockups.

In this field the board is required:

(a) To visit every county jail in the State annually and investigate its conditions and management. It has the power of condemnation of these jails and of forcing unsafe, unsanitary or otherwise defective structures to be repaired or replaced as may seem in their judgment best.

(b) To examine plans and specifications for jails or poor-houses and houses of correction, and direct their planning. The approval of the board is required before construction can be begun.

(c) To exercise the same jurisdiction with reference to police stations and lockups.

(d) To thoroughly investigate the poorhouses of the State, to collect the necessary and important statistics with relation to their inmates and the care with which their use is kept within the limits prescribed by law. Also to institute inquiries as to the adequacy and efficiency of the laws relating to the poor.

4th. The law also provides:

(a) That the board shall audit all the accounts of the county asylums for the chronic insane against the State and as between the counties for the care of the chronic insane in the thirty-five county asylums of the State.

(b) It further constitutes the board a court to hear and determine any disputes between counties as to the residence and responsibility for the care of patients in such county asylums.

(c) Also that the board audit all the accounts of the state hospitals for the insane, the Industrial School for Boys, the Home for the Feeble-minded, and the State Tuberculosis Sanatorium against counties, for the care of inmates of those institutions belonging to the various counties.

5th. In addition to these duties already described in relation to the penal institutions as having been added to the duties of the board by the legislatures of 1907 and 1909, namely, the determination of paroles, and the care and supervision of the paroled convicts; the care and supervision of persons on probation by the courts.

For the purpose of carrying out these provisions of the law, the Board of Control itself consists of five members, four men and one woman. It will be seen from the duties that are imposed upon this board that there is hardly any limit to its powers and duties in the management of the state institutions.

I believe in the centralized system for all social matters. In fact, I believe that there should be one federal social center that would formulate policies and methods to meet all social needs, and that there should be in every State one central social bureau that would formulate all policies governing social matters and that would formulate all policies in reference to the administering of charities and relief.

At the present time, the matters of administering all kinds of poor relief locally by the counties, cities, and towns, is done very inefficiently. This is due to the fact that there is no central department and no central head to formulate policies or provide efficient methods for administering such relief.

In all financial, commercial, and industrial matters, much thought is given to produce better, more efficient, and more economical methods, and since it is the opinion of those who have been engaged in that work that central authority and central management bring better results, there is no reason why the same rule should not apply to all social management. It is true that in many States today, the sentiment does not seem to be very strongly in favor of a centralized board, but this is due largely to the fact that there are so many trustees of institutions that are opposed to centralized management that the proper information is not brought to the legislatures of those States, and for that reason no action has been taken towards establishing centralized boards.

Since the Wisconsin board has been established, centralized boards have been established in about a dozen States, and it is my opinion that within the next decade most of the States that have not centralized boards will establish them.

Since the centralized board has been established in Wisconsin, there has never been any sentiment, so far as I have been able to determine, in favor of abolishing it. In fact, every legislature enacts some law giving to the board additional duties and powers. I have not learned that there has been any sentiment in any other State for abolishing any centralized board that has been established. I believe that too much power can not be given to centralized boards if efficient management is to result from the operation of such boards.

In conclusion, I want to say that I wish to apologize for insisting so strongly on the centralized system. The people of Wisconsin, who have given it the best trial that has been given anywhere, are in favor of the centralized system.

Charles E. Vasaly, Member Minnesota Board of Control, St. Paul: The board in Minnesota has generally the same powers as that in Wisconsin. I wish to call brief attention to one thing

which is generally referred to in the States not having a board of control system—that very little elasticity, or scope of initiative, is left to the superintendent or head of an institution. Our experience in Minnesota has proven entirely to the contrary, and I think you will find by conversation with the heads of our institutions that there never has been the slightest fear on their part that suggestions might not be received. On the contrary, suggestions that have come from them to the board receive attention. We have been enabled, we believe, to keep abreast with the times.

Adjourned, 12:00 noon.

THURSDAY AFTERNOON SESSION.

American Association of Clinical Criminology.

PSYCHOPATHOLOGY AND CRIME.

ADDRESS OF THE PRESIDENT.

**DR. DAVID C. PEYTON, SUPERINTENDENT INDIANA REFORMATORY,
JEFFERSONVILLE, IND.**

According to the opinion of some of the best thinkers, the underlying cause of crime is mental abnormality. Many believe that there is associated with the mental peculiarity a concurrent structural anomaly—the so-called stigmata of degeneracy. Peculiar mentality, however, may exist without this degenerative twinship. Both are generally regarded as biologic retrogressions, and due to the same cause, which is doubtless some vice of constitution, and suggests a likelihood of the existence of an inferior biologic type, which the Italian school has stigmatized with the name anthropological inferiority.

The soundness of the mind largely determines the integrity of the life. The integrity of the mind, together with life's environmental influences, determines the ethical relationship of the individual's conduct toward normally constituted society. It is impossible to contemplate an anti-social reaction upon the part of the individual without thinking at the same time of a pathological mind rather than an exaggerated state of physiology. As to whether this pathology is a positive entity and of such a character as to be determined by the microscope in a post-mortem examination, or whether it is an abnormality that can be determined only by the individual's ethical appreciation, can be ascertained only from the nature of the anti-social reaction and a careful examination of the mental life.

The title of this paper suggests a discussion of heredity and en-

vironment, which are the two general classifications of causes of mental pathology and criminal tendency. Hereditary influences on the mental life are so positive in character that it is scarcely necessary to do more than mention the fact. It is well to understand, however, that it is in this class of cases that we more often find the distinct pathology, and it is also in this class of cases that we are more likely to have the question of permanency entering markedly into the situation.

The more interesting, I think, of the two causes of the mental abnormality is the environmental. Of course the question of permanency depends materially upon the virulence of the influences present, and the age at which the mental life is subjected to them. We all recognize that it is the young and plastic mind that is quickly and deeply impressed by the influences of life and the nature, duration and constancy in action of these influences as a rule determine the character of the future life. It is a mooted question as to whether it is possible for influences of vicious kind to result in permanent psychopathology or whether such impressions are less firmly fixed and capable of being removed by the wholesome influences of normal living.

It is not difficult for the medical mind to comprehend the existence of a criminalistic tendency as the result of environment. In the physical constitution we often find a previously healthy individual who has been subjected to tubercular infection, and the tuberculosis thus contracted is certainly as disastrous as though the individual had inherited a tubercular tendency. I can see no reason why the mental life, which is so much more susceptible to all kinds of influences, should not be just as susceptible to the inimical forces of bad environment as is the physical body to the contagion of bacterial life. The human mind continues all through life to reflect impressions made upon it during the early and more impressionable years, and it is impossible to subject the mind of the child to prolonged contact with the more vicious experiences without having as a result a permanent and positive abnormality.

Considerable thought has been given to a differentiation between an exaggerated physiology and pathology in their relation to anti-social reactions. It is well known that an exaggerated

physiology becomes in fact pathology. This occurs in the brain as elsewhere. Nothing in the human anatomy is more definitely known than the physical changes which take place in the circulatory apparatus as the result of prolonged vascular engorgement. The resiliency of the blood-vessels remains undisturbed through the ordinary physiological disturbances of the blood pressure, but when this increased blood pressure is indefinitely prolonged, as a result of certain disturbances of metabolism, this vascular resiliency is lost, and the walls of the blood-vessels become thickened and hardened, and we have thus established permanent pathological changes. In all cases of pathology the question of nutrition enters very largely, and the brain is no exception to this general rule. I cannot doubt the fact that in every instance of a positive mental pathology the element of nutrition is an important factor. It is my belief that the many physical defects so frequently suggested as causes of abnormal ethical views or actions are in fact the result of a malnutrition of the central nervous system rather than being the causative factors of the so-called criminal tendencies. This idea is the central one in the theory of Marro.

All feeble-minded individuals are potentially vicious, and if after the establishment of a permanent mental abnormality, whether the results of heredity or environment, these individuals are subjected to influences of anti-social character, we must naturally expect that their reactions will be of like kind. So it is that the child, as a result of his heredity or environment, after a permanent fixation of this character of experiences, is certain to continue his anti-social reactions whenever he is subjected to the character of forces primarily establishing the mental pathology. Just when the line of demarcation between the transitory and permanent or the curable and incurable pathology shall have been passed, of course no one can assume to say with so many elements entering therein. To determine this question, therefore, the test of time and treatment must be resorted to; hence the value of modern reformative principles. While it is true that we find the element of permanency more frequently in the mental pathology of hereditary origin, yet it is equally true that we have many cases where the pathology of environmental origin is just as permanent and hopeless.

ILLUSTRATIVE CASES.

The first case is a young man now twenty-three years of age, the son of a well-to-do clothier, having stores in two of our largest cities. This boy was given all the advantages that any boy could ask; he was sent to a good preparatory school near home, and while there was given money and clothes to a greater extent than his friends had. His associates had been of the best and his habits good until he reached the age of seventeen, when he began to frequent cafes and other places in which the lights burned brightly until the morning hours. The fascination of these places and the over-development of the sexual life led him away from friends and family at a fast rate. The amount of money demanded was more than he could well obtain, and he began writing checks upon his father, who unfortunately had never exercised sufficient control over the boy to do anything now. A suspended sentence was placed over him by request of the father, but that did no good, and he had to be brought to the reformatory. Twice he has been paroled and placed in good positions, but each time the call of the underworld has been too strong and he has been returned after repeating his old offense, writing checks with the use of his father's name. He has fairly good intelligence and recognizes the trouble he has caused his parents, but he does not feel it. His ethical sense is undeveloped. There had not been a development of inhibitions and he now believes that he cannot control himself, so quite naturally he cannot.

The next case is the son of excellent parents, the father being a foreman in a large manufacturing shop, and two brothers holding good positions. The home was everything that could be asked, but truancy led this boy into a group where from an early age he was prepared for an anti-social career. He had begun smoking heavily by the age of nine, had gained an extensive knowledge of things that he was not yet ready to know, and during his early adolescent years he took to drinking. By the time he had completed the eighth grade, all ambition and desire other than for the present was gone. The pleading of the mother could not induce him to continue his preparation for some valuable lifework. After holding a number of positions for short times, and spending all his money on him-

self, he found it necessary to marry, and not having a desire to better himself, this additional burden was inconvenient. He tried to better himself quickly one night and spent a few years in the state reformatory therefor. Immediately after leaving that institution he came to Indiana, tried a similar piece of work, hence coming before our notice. He is a remarkably good example of a highly emotional and erratic individual, though of excellent mental ability as such is found within our institution. This emotional condition is in no respect to be attributed to heredity, but is the result of the vicious environment and the habits and views of life instilled by it.

The next case brings out the stamp left by a bad heredity, with a bad environment thrown about him at about the age of seventeen. Almost nothing is known of the father, but the mother has long been an excessive drinker, having several times been arrested for intoxication and for disorderly conduct, and finally married the keeper of a saloon of the lowest grade. This boy did not try to live long with his mother after leaving his grandparents at the age of eleven, but began working out. He has shown himself to be quick and of high mental ability for one who has had no training other than what he has been able to accumulate for himself. No abnormalities of conduct were displayed until an early and unfortunate marriage into a family of bad character, from which time he dropped into associations of a criminal nature after which he quickly accumulated a series of convictions, ending with one to the reformatory, from which he is not due for release for some time.

Recently we received a man from a coal mining town, who has had two brothers previously within our institution. The family numbered about twenty children, of whom half died at or shortly after birth. The father was an excessive drinker and a man whose mentality was probably quite low. No information is at hand regarding the character of the mother and sisters. Several deaths have occurred among relatives from tuberculosis and at least one instance of syphilis in the family is known. The subject of this paragraph has long been known as a dangerous and vicious person; lazy, alcoholic, a menace to the community. Among his arrests has been one crime of a sexual nature before that for which

he was sent to us, rape upon his sister-in-law. Several stigmata were present, the most prominent of which was a low, receding forehead. In addition to a lack of development in the moral, ethical and social spheres, there is a very low mental development, well toward the borderline of feeble-mindedness.

The intellectual life should be allowed to develop in an atmosphere of quiet, far removed from an unrestrained indulgence in social dissipations, the uncensored moving picture show, the cigarette habit, the use of alcohol in any form—all of those things which serve to destroy the finer moral texture. By no means less important in the list of destructive influences is the present day indiscriminate commingling of the sexes in childhood as is too often found in the school organization, the party, the dance and many other of the so-called social gatherings. All of these serve to awaken the sexual life at a time when it should be dormant and when it should be growing in strength for its God-given purpose of reproduction.

Train the conscious mental life of the youth along lines of moral sanity and in later life the subconscious mind will stand as a sure guard against malignant influences. The training of the mind along sane and useful lines is to be encouraged, for the strengthening of the intellectual life is a restraining, regulating influence on the sexual life, while the coarser and brutalizing influences serve to increase the moral obliquities.

Moral training is equally essential to the future individual life and the moral life of the nation, but such training must be along physiological lines and not a training that overdevelops the emotional life and accentuates the loss of the ethical sense.

MENTAL ATTITUDE AFFECTING RESULTS IN PSYCHOLOGICAL TESTS.

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The mental attitude with which a person approaches a task is a large factor in his success or failure, whatever the undertaking may be. In no realm is this more true than in the performance of

psychological tests. It may be a difficult matter to know just what the attitude of the examinee is toward the situation to which he is reacting, but though this may often be only a matter of conjecture on the part of the examiner, it is a factor that must be taken into consideration in the interpretation of the results. If it is not, serious error may arise and grave injustice be done the individual, as we found by experience in the Psychopathic Institute of the Juvenile Court.

When we consider that the decision reached by the examiner in regard to the examinee is often a matter that concerns the whole future of the individual, that his future care and education may depend upon the verdict, we realize that the question is one not to be lightly considered. Every circumstance that may be a possible factor in the results upon which diagnosis is made, should be weighed and given its due importance.

Even where individual examinations are made and great care is taken, difficulties arise. One cannot always be certain that the subject is co-operating and doing his best; he may appear to be doing so on the surface, whereas, in reality he may not be exerting himself in the least. Or, he may wish to do his best and be handicapped by physical difficulties. He may be placed at a disadvantage, due to any one of a number of causes, either objective or subjective. It goes without saying that as far as lies in our power, we should see that all the conditions are favorable for the individual to achieve the best possible results. All external circumstances should be controlled as far as is possible.

Many writers discussing this problem have called attention to the need of having a quiet room, free from distraction, and of having good light and ventilation. Likewise, we realize at once that the attitude of the examiner is a very vital matter. He must put the examinee at his ease, be friendly, tactful, and sympathetic, yet perfectly fair in his methods. Subtleties enter here, many of which we have scarcely realized until the remark of some boy or girl has made us conscious of their force. All that enters into personality plays a part; a dozen and one peculiarities of the examiner, slight mannerisms of which he is unaware, even inflections of the voice.

It is, however, the mental attitude of the individual who is be-

ing tested which we wish to stress, the varied conditions which affect the results of tests and which must be sought and taken into account in forming a final diagnosis. Perhaps the best way of presenting this problem will be by means of illustrative cases, showing its different aspects. First, however, we must limit our field; for here, as is usually true, other problems overlap.

Anything which affects, directly or indirectly, the general mental state, affects, necessarily, the psychological reactions. Thus, we must take into account the peculiar mental states of the epileptic, the irregular states of hystericals, psychoses, major or minor, the psychic disturbances of chorea, and all the results of bad physical conditions and bad habits. Nor must we forget the cases where mental conflicts are factors in the situation, producing peculiar mental attitudes which interfere in many ways. All these must ever be borne in mind, though we cannot here discuss them in detail. We shall, then confine ourselves more largely to less evident or less commonly reckoned with features, all of which are extremely important in their bearings on the results of tests.

I. Deliberate Deception: It is easily conceivable that the examinee may, from various motives, fail to achieve success wilfully and intentionally. He may do so as a matter of resentment or indifference, or because he thinks it to his advantage. He may believe that if considered incompetent, he will be excused from work which he dislikes, or be dismissed from a school or institution where he does not wish to remain. Again, he may have some other reason, distorted perhaps, but logical to him. The first case presented illustrates this last point:

A boy, ten years and three months of age, was brought for examination. It was a disciplinary problem, the parents not being able to control the lad. He had been a great truant previously, and in consequence had been sent away from home to a school for truants, where he had remained for some months. As soon as testing began it was apparent that the boy was shamming in regard to his ability. He graded 6 3-5 years by the Binet tests,* failing on all the eight and nine-year tests. He failed on the simple test for

*Throughout this article Binet tests refer to the last revision by Binet himself, namely the 1911 series.

mental analysis, the crossline test; said eight and four added together made thirteen; four, six and five made sixteen—altogether a very stupid performance. The boy was plainly told that if he could do no better he would have to be sent away to a school for stupid children and that perhaps he was so bad because he was so dull. His face expressed the greatest amazement and he immediately said he could do better. On retesting him, he not only passed all the eight and nine-year Binet tests correctly, but all the ten-year ones as well. He added, subtracted and multiplied fairly difficult problems without error and proved capable of solving a number of performance tests. Asked, later, to explain his queer behavior, the boy gave the following facts: Before being sent to the school for truants he had been examined at another clinic, he had done his best and had been sent away. Now, remembering his past experience and not wishing to be sent away, he thought that by doing poorly he would escape his former fate, and determined to fail. Good logic, as one sees, if only his premise had been correct.

In this case, the wilful deception, so easily understood when explained, might not have been discovered if no attempt at analysis had been made. If the examination had been made hurriedly and the examiner had been content with the objective first findings, an egregiously erroneous judgment might have been formed. Here, too, we see the value of obtaining former history to corroborate a diagnosis.

The next case of purposive failure presents an instance where the boy thought that by proving himself inefficient, he would be dismissed from the institution to which he had been sent. He had been told by other boys that he would be kept there indefinitely if he had a good record, but that bad and stupid boys were allowed to return home. Examined at the school, the verdict had been that this boy of fifteen was mentally a high-grade moron, 10 3-5 years by Binet; that he was erratic; his memory poor and his judgment defective. On the strength of this diagnosis was incurred all the expense and trouble of sending him to the city as a candidate for the school for the feeble-minded.

When we first saw the boy, he was anything but friendly, but he passed, nevertheless, all the Binet tests up through the 12-year

group, except one of the latter. He did construction tests fairly well but failed on the more difficult crossline test, even after four trials. Nothing further was attempted in the way of tests that day, but an effort was made to gain the boy's interest and good will. Retested the next day, when his attitude was much better, he succeeded on the failed 12-year Binet test, and passed four of the 15-year tests, was correct on the crossline, first trial; did some fairly difficult work in fractions and learned a new process in multiplication of fractions. Repetition of this, later, proved that the boy had grasped the principle involved and that he was quite capable of further education. He frankly said to us this day, that when tested at the school he had "stalled" and explained the motive for his behavior, as given above.

II. Recalcitrancy: Often, however, it is a matter of recalcitrancy rather than purposive deception, which explains the mental attitude of the subject. One example will suffice to depict a typical case, though this might be duplicated indefinitely if there were need. The point can be so readily seen that repetition of cases is unnecessary.

Immediately after seeing this boy for the first time, the examiner dictated the following impression: "He turns his head away, jerks his shoulders, says, 'I can't do it,' 'I don't know'. He is stubborn and clever about getting out of doing things. Said he couldn't tell the difference between various objects; that he only knew their Polish names, but later did splendidly on this test. Succeeded on numerous of the tests only after both cajolery and scolding were tried." Furthermore, the teacher in whose class he is says of him: "He is a bad boy. He hits others and then is vociferous in his denial of having done anything wrong. He is a typical bad boy." The officer says, "He is as shrewd as a little fox." We note that the home conditions might well account for a part of this boy's clearly shown tendencies, for the father is reputed to be a brute, immoral, many times arrested. The mother is in the last stages of consumption and exerts little control over the children. Had this boy been judged by the actual results of his first tests, he would have been considered feeble-minded. Realizing that these did not present a true picture of innate ability, an effort was made to change the

boy's attitude, with sufficient success to cause a vast amount of improvement in the final outcome of the second testing. Thus, after the first morning's work, he graded 8 years by Binet. This, three days later, was raised to 9 3-5 years. He failed on the simple crossline test on the first day's efforts, later getting this correctly at once. When first seen he was unable to do, or claimed he was unable to do, the simplest addition, such as two and two, whereas, finally, he did ordinarily difficult problems in addition and subtraction. His record on construction tests improved vastly, but, of course, part of this may have been due to practice effect. However, it is clear that the tests which originally had to be scored as failures, were successfully solved when the boy was actually co-operating.

No motives for this boy's earlier reactions were ever discovered; they seemed to be typical of his generally recalcitrant behavior.

III. Emotional Disturbances: Any one of a number of causes may lead to such emotional disturbances on the part of the examinee as will affect the test work greatly. We can readily appreciate, on the basis of personal experience, that emotional distress may cause great lack of self-control and inability to center attention on the task in hand. It may cause one to adopt an attitude decidedly disadvantageous for the performance of any kind of mental work. It is just such considerations which make it so undesirable to conduct a mental examination at court, when the individual is about to appear or has just appeared before the judge. Not only is one often hard pressed for time at such examinations, but the subject is apt to be greatly disturbed, even to be in an incriminatory state. Occasionally we are asked to study a case after the commitment has been determined. Naturally this, too, is an unfair time, because of the emotional conditions of the subject.

Proceeding from our experience with results on tests quite different from what they otherwise might have been, we subdivide the causes according to the emotional conditions conducing them. They appear as follows:

(a) *General Depression:* In the first case cited, the examiner immediately after testing the boy stated the impression that, "This boy's manner throughout the tests was rather peculiar. He seemed

not so much nervous as distraught; for long periods of time, perhaps as much as a minute or two, he sat doing nothing. There were other long time reactions in a number of the tests. In spite of the fact that the Binet tests were well done, except for some peculiarities, and all school work was satisfactorily accomplished, the results on many other tests were decidedly poor. The impression made is that the boy is not incapable so much as extraordinarily peculiar."

When the results on tests during this first interview are noted in detail, the decided peculiarities of this boy of 15 years and 6 months are seen at once. He tells us that he has reached the seventh grade. The simpler construction test, readily performed by younger children, he fails to accomplish in five minutes. During all this time the boy made but thirteen moves, the first three of which were done in three minutes. Eight moves were made in five minutes. The more difficult construction test was a failure at the end of ten minutes, during which time only thirteen moves had been made. Although he succeeds with the simpler crossline test on the first trial, he fails on the second one after four trials. The pictorial completion test is completed in eight minutes forty-eight seconds with seven errors, three of which are illogical. The easy opposites test shows an exceedingly irregular time reaction, the range being from 1.4" to 9.2", the average time $3\frac{1}{2}$ "; three reactions are scored as failures of being given after 10 seconds had elapsed. In the Kraepelin test, where the numeral seven is continuously subtracted from 100, several steps were done very rapidly; then a long pause occurred, but the whole was completed in 1 minute 41 seconds with only one error. Taken by themselves, the results gave a picture of reactions which might lead one to believe the boy to be a victim of a psychosis.

Later, in conversation with this boy, it was found that as soon as his story was approached, he became much frightened, beads of perspiration stood out on his forehead, and big and strong as he was, he began to cry. In the course of his story it was discovered that this was the boy's first arrest and he acknowledged that he was exceedingly unhappy; that he was continually thinking of his

mother and that he was unable to keep his mind on what was being asked of him.

Several days later, after the family had visited him and there had been a discussion, during which it was virtually promised that the boy would be allowed to go home on probation, he was asked to try again a few of the tests. He now did the first construction test in 16 seconds with six moves; the second construction test was performed in 40 seconds and eleven moves, an extremely good record. The second crossline test was correct on the first trial. The completion test was performed in 1 minute 30 seconds with only one illogical error. The opposites test was accomplished without error or failure and with quick and even time reaction.

Nothing could be clearer than the fact that this boy originally was laboring under such mental disturbance as to make it utterly impossible to fairly test him under the circumstances. Just such states of mind, no doubt, frequently occur, but the examiner does not always take the trouble to learn just wherein the difficulty lies. Or he may not have considered the matter enough to be conscious of the important role it plays.

To illustrate that even such an apparently small matter as the propinquity of a relative may serve to spoil a performance, we present briefly the next case:

A boy was brought to the laboratory for testing; unfortunately, on the way he discovered that his mother was in the building. When he began his work it was seen that the time was not propitious, for his emotional disturbance was quite apparent. He failed on the first construction test and performed the completion test with four errors. Of course, there was nothing to do in this case but to defer the examination until another time. Comparing the results of the two tests mentioned above, with the results attained later, we find that the construction test was correctly solved in 2 minutes 30 seconds and the completion test performed with but one error, when the boy was seen under more favorable circumstances.

A third case is cited because so much time was given it and because the verdict was exceedingly important. A boy of sixteen was studied at a reformatory institution where it was recommended he be transferred to the institution for the feeble-minded. The re-

port of this examination was that the boy's mental age was 10 1-5 years; that he was indifferent; mentally suffering from delusion grafted on feeble-mindedness. Before this transfer was made the boy was sent to us for further study.

We found him greatly depressed. Not only that, but the boy himself had a distinct grudge attitude. He felt that he had not been justly treated in being sent away and indeed, when all the circumstances were known, one was of the opinion that the boy was a victim of many bad circumstances, rather than altogether the culprit. He came from a miserable home. The mother was immoral and at the time was serving a sentence in a correctional institution. All the circumstances regarding this were known by the boy and he was very unhappy about the whole matter. During his stay at the institution to which he had been sent he was discontented; had run away once and been sent back.

A great effort was made to have the boy feel at home with us and to realize that we wished to be of assistance to him. Although he never became extremely friendly, yet he changed his attitude sufficiently to make a greater effort in the direction of tests when it was made plain to him how largely his future welfare depended upon the outcome of his work. We found that he was able to pass all the 12-year Binet tests and three of the 15-year tests. He made an extremely good record on our construction tests, succeeded on both the crosslines with one trial, showed quick and normal apperceptions on the completion test; in fact, the results were uniformly good, except on tests which required good powers of concentration and mental control, such as the opposites and the Kraepelin. In consequence, we were led to believe that the boy had not done himself justice when tested at the reform school, very largely because of his general depression and his unwillingness to co-operate as well as he might have. His so-called delusions were really well-founded feelings concerning his inability to make good when he should be sent back to his old environmental conditions.

(b) *Anger or Resentfulness*: In the case of a girl of fourteen, whom we were asked to see, we have only one record on tests, but one is confident that the results are unfair, not because we have proof of this by later testing, as in the cases cited above, but be-

cause the general attitude of the subject was so perfectly apparent. When brought to the laboratory she at first refused to do anything; maintained that there was no need to do anything for her; she wished to be sent to a reformatory. She showed at once that she was self-willed and moody. When, on one or two tests, she became interested it was as if this were against her own will. She was indifferent to commendation, uncommunicative and showed the same characteristics toward several people who tried to convince her that they wished to be her friends.

The construction tests were fairly well performed, in spite of her indifference, but her failure to succeed on the second crossline test, even with four trials, was, undoubtedly, due to her attitude and not to her incapacity. She refused to attempt several of the tests; on the testimony experiment she gave but three details and said she had seen nothing more on the picture. It can readily be seen how wellnigh hopeless it is to make any diagnosis of such a case, when there is but one interview possible. If one accepted the girl's statement, "I can't do it", as being literally true, rather than as indicating "I won't do it", one would certainly do the girl a great injustice, for from her general conversation it was apparent that this girl was at least normal in ability. It might be added that here, as frequently occurs, the girl did performnace tests when she absolutely refused to attempt any other kinds. Often the examinee will co-operate on tests with concrete material when he fails on anything in which he has either to speak or to deal with abstractions.

The extreme instance of this type of behavior is seen in the case of a girl of sixteen, who talked very well and who was said by the teacher in the schoolroom to do seventh grade work well and easily. When brought to the laboratory this girl steadily refused to do any tests. It was reported by her mother than often she exhibited great obstinacy, had a very bad temper and that she was very loath to exert herself in anything. The whole case is summed up in the girl's own words, "I am not weak; I just do as I want to. I don't intend to do any puzzles for you, because Mrs. A. (an attendant at the Home) said, when she was mad, that she was glad I was going to have my brain examined. I'll not do any more work for you;

if you make me, I'll do it all wrong." We have often noticed a similar attitude of resentment evinced by those whom we are asked to see, after they have been committed by the court to some institution. This has been borne in upon us so strongly that we have reached the conclusion that it is unfair to see cases after the court's decision has been made. One case will suffice to illustrate this type of reaction:

The first tests were given before the girl went to court, with results that were uniformly good. Because a report was made by the officer that the girl was considered very dull, we later asked her to do for us a few more tests, including the Binet. We found her attitude entirely changed. Although she gave answers to questions asked her, we found her resentful, unresponsive, indifferent and sulky. During the testing, at various intervals, she herself said it was all foolishness. She was going to be sent away and she didn't see why she should do these puzzles anyhow. In consequence, the Binet tests, where there was one failure in the 9-year, four failures in the 10-year and all failures in the 12-year series, gave us a picture that was certainly not fair.

(c) *Fear*: It can readily be seen that many a subject, either not realizing the exact purport of what is being done, or fearful of the action that will be taken as the outcome of his results, will be frightened at what is before him. This may act as an inhibitory force during tests. We have seen this on many occasions, and cite an example not at all extreme, of a little girl twelve years and three months old. The examiner's summary says: "Not understanding what was to occur nor what she would be asked to do, she came emotionally disturbed. This caused mental inhibitions which affected her work. We know this to be true because under encouragement three tests, at first failures, were later done correctly. She still failed to name the months of the year and to count backward from twenty. When her mother was called into the room she insisted the girl could do these and, her confidence strengthened by her mother's presence, the girl did these tests correctly and promptly. As will be seen, her Binet age was raised one year and might have been still higher had the examinee been seen under the most favorable conditions."

In another instance, a girl thirteen years and four months of age, was being examined. It was difficult, at best, to be sure of a diagnosis, because the girl had been a comparatively short time in this country and was handicapped by language difficulties. She was seen by two different examiners on different days. On first testing she graded 9 3-5 years by Binet, but even more significant was the fact that she was unable to do the simple construction test, having failed on it at the end of five minutes. She likewise was unable to solve correctly the simple crossline test, though both of these should have been well within her powers, if normal. As a result of the first day's examination, it was considered very probable that the girl was distinctly subnormal.

During examination on the second day, she worked interestedly, co-operated well and seemed thoroughly at ease. The results of the tests, as a whole, were considerably better. Not only the simpler construction test, but one involving more complex relationships, was solved well. The simpler crossline test was correct on the first trial and more difficult one on the second. One found that she could form new associations promptly; that she had good apperceptive ability and exceedingly good rote memory. Three Binet tests, formerly failures, were now scored as correct, thus giving her a Binet rating of 10 years.

Asked for an explanation of her poor record when first seen, the girl herself said, "I was afraid and nervous the other day." No doubt, this was the real explanation of her apparent stupidity and the decided improvement shown on the second testing.

(d) *Sheepishness or Feeling of Shame*: Sometimes the examinee is not so much afraid or depressed or angry, but is generally ill at ease and somewhat ashamed because of the difficulties in which he has become involved. The mere fact of being examined is, in itself, sometimes a cause of shame. It is not at all uncommon for adolescent boys, particularly, to act in a very sheepish manner. Thus, a lad of sixteen, who was first tested before his story was gone into, failed on a number of tests. He could not do an example in simple long division, he could not succeed with the more difficult crossline test and he filled in the spaces of the pictorial completion test very poorly, although when cross-questioned he could give correctly the

meanings, appearing to have really apperceived the situations. All the Binet tests were done well; it was felt that the boy was not doing himself justice on many of the other tests.

Then there followed an interview with another experimenter. After he had unburdened himself and realized that he was not going to be very severely condemned, he appeared much more serious and more at ease. He was asked, on the same day, to try again a few of the tests previously done and it was found he now solved the same problem in long division correctly; that he gave the correct solution of the crossline test on the second trial, and did the completion test very well.

Self-consciousness, such as is here illustrated, is by no means limited to adolescents and young adults. We have seen well educated grown-ups show a decided attitude toward tests. This is a point that has a very practical application to court work.

(e) *Shyness*: Because of shyness and timidity, younger children especially are often exceedingly unresponsive. Sometimes it is impossible, because of this, to continue the tests, and one must first endeavor to make friends. We may note, as an example, the case of a little boy 10 years of age, where our psychological impressions run as follows: "He is extremely quiet and diffident. It is difficult to make friends with him. He seems quite averse to speaking, but it is not due to a lack of knowledge of English. All language tests are largely failures because the boy will not speak."

The first day's testing proved to be practically valueless, for the boy failed on our simple picture puzzle test and on the simpler construction test. On the completion test there were six errors, four of them illogical. The Binet rating was 8 1-5 years.

No effort was made to retest this little boy for some time. It was thought that after he became more at home and had seen us during his play time, perhaps he would feel less shy when brought to the laboratory. This reasoning proved to be correct, for on the second trial the results were markedly different. The picture puzzle was solved correctly and the first construction test done with a very good record. Not only that, but the more difficult construction test was solved correctly too. The completion test, on

retrial, was completed with no errors and his Binet rating was now through 10 years.

(f) *Homesickness*: The emotional disturbance, due to homesickness is, in reality, a kind of mental conflict. This has been made much of in foreign literature. Next is presented the case of a boy seen and tested on several occasions: The most significant features, in general, regarding this case, is the fact that the results varied greatly from time to time. There was no explanation of this other than the emotional conditions under which we found the boy on different days. He cried very readily, told us of his extreme homesickness, and when one day his mother came to visit him and the two met in the laboratory, we ourselves saw a long continued display of emotion on the part of the boy.

It was soon noticed that he was lacking in powers of concentration and attention, but that he could put his mind on what was asked of him when he was interested and that his attitude was largely dependent on the way one approached him. The first day that this little boy was seen he was most unhappy and homesick; he cried bitterly. He failed on many of the tests, even the construction tests, which later interested him greatly. His Binet grade was 8 3-5 years. He read poorly even a first grade passage and failed to do a simple problem in addition.

Seen several days later, he showed considerable improvement on some of the tests first tried, then once more was overcome by his emotions, cried again and test work had to be stopped. It was on this second occasion that his mother came while he was working.

At the third interview, Binet tests were given again, with the result that he then graded 9 4-5 years. The construction tests, previously failures, were now solved correctly. He succeeded with the simpler crossline test on the second trial, changed his record on the completion test from time reaction of 7 minutes 17 seconds, to 5 minutes 12 seconds, 5 illogical errors to 2 illogical errors. Thus, the results as a whole, were quite different from the first ones.

IV. *General Nervous Excitement*: The very effort to do well may sometimes prove as disastrous as its direct opposite, namely, indifference or ennui. We have seen instances where the examinee, in his effort to attain an exceedingly good result became so excited that

he defeated his own ends. Thus, after seeing a girl of 17 years of age, it was stated: "Test work with this girl was very unsatisfactory not because the girl would not co-operate, but because during the work she became a good deal confused." This was due to the very effort she made to do well. One would hesitate to judge of her capacity by the results of this interview; for it was evident that the girl was not doing herself justice. Indeed, this was so apparent, that it was hardly worth while to do more with her.

Fortunately, we were able to study this case further about two weeks after our first interview. This time she was quieter and more controlled. A comparison of the results of the two occasions shows significantly the truth of our earlier impressions. Though a grammar school graduate, on the first examination she succeeded on the crossline test with great difficulty; on the code test she made seven errors besides omitting all the dots; she made a very poor record on the Kraepelin continuous subtraction test and three errors on the antonyms test. At the second interview the crossline, with changed lettering, was done promptly on first trial; the code with two errors but no dot omitted; the antonym test still had three errors, but the average time was somewhat better.

V. Combination of Causes: In some cases the explanation is not so simple; the problem may not be an easy one to analyze. Sometimes it is evident that there are disturbing conditions; that the mental attitude is unsatisfactory, but one does not feel sure just wherein the trouble lies. Two or more conditions may seem to be factors, and this makes it, at times, exceedingly difficult to reach any definite diagnosis.

Obvious recalcitrancy may be upon the basis of some conflict or grudge; in this respect unlike the case cited above, where no motive was ever discovered. This is well illustrated in the case of a boy, twelve years old when first seen. Everyone who came in contact with this boy felt that there was something unusual in his mental attitude; school teachers, attendants in the Home where he was being held, even his mother, commented upon this fact. He was seen in the laboratory a number of times. There, too, it was felt that the boy displayed extreme obstinacy and recalcitrancy. He would work well on a few tests, then would sham disability,

and at times refuse absolutely to co-operate. At the beginning of testing, he was decidedly surly, saying he did not like any games. He never smiled, nor, in discussing his own delinquencies, did he show any remorse or approach tears. One was sure that he was not making his best efforts. As noted in an earlier case, this boy did better on performance tests. He solved the simpler construction test in 2 minutes 5 seconds, making in all, fifteen unnecessary moves. At the expiration of 2 minutes, he himself said, "I can't do it," although, with 5 seconds more effort, he succeeded. He failed on the simpler crossline after four trials, but succeeded on the more difficult one on the first trial. In the code test, which, though difficult, usually arouses considerable interest, he refused absolutely to make any attempt.

Seen a month later, the boy not only did the simpler construction test in 30 seconds (not a very significant performance, since he may have remembered the solution), but the more difficult construction test was done in 35 seconds with not a single unnecessary move. The simpler crossline test was correct on the first trial, but the code was still a failure. This boy has been seen on numerous other occasions, at varying intervals, and we have come to the conclusion that he is quite capable and that his earlier failure was not due to lack of ability.

It was felt from the start, that in this case the mental attitude was not that of defiance, nor did the boy display a grudge-like attitude. It was simply a matter of stubbornness and recalcitrancy. After repeated interviews, it was definitely proven that this attitude was based upon a conflict regarding sex affairs, which colored this boy's reactions toward everyone. Of course, in a case of this sort, the appreciation, not only of the attitude itself, but of what causes it, is of great importance in relation to social behavior, as well as to the interpretation of test results.

Still more difficult, from the standpoint of diagnosis, is the next case presented: A little girl ten years and three months of age, was studied after she had already been very delinquent. When first seen, she was exceedingly downcast; she wept copiously and frequently. In the schoolroom she was said to be naughty and stubborn. It was known, too, that she was engaging in bad sex habits.

The most striking feature of early work with this girl was the excessive inhibitions shown both in conversation and in the school-room. After a few tests were done, she would put her hands over her face, avert her eyes, refuse to speak, and begin to weep bitterly. Although seen on three different occasions, on all of which the greatest kindness was shown her, the diagnosis of her mentality had to be merely a tentative one. At the first interview, she made a fairly good record on the simple picture puzzle and on the simpler construction test. She failed to solve the more difficult one, refusing to work at the end of seven minutes. Seen the next day, she failed on the simpler crossline test after four trials, refused to attempt the more difficult crossline test, would not answer any tests where the solution required the use of language, refused to do any school work.

It can readily be seen that, at this time, one could not possibly state whether this girl was unable to do the tests, whether she merely refused on a basis of recalcitrancy, whether she was dull from her bad sex habits, whether she was developing a psychosis, or whether her peculiar inhibitions were due to some mental conflict.

Seen a year later, in general her reactions were much the same. She still showed interest in performance tests where she could handle concrete material, but the tests previously failures, were still done as poorly. The girl refused to attempt Binet tests involving language, and in more difficult tests where continued effort was required, she refused to co-operate any length of time.

Just recently, more than four years after first knowing this girl, we have once more studied this peculiar problem. We find her attitude much changed. She has been for a long time in an institution, where a great deal has been done for her. At our last interview, she co-operated, apparently, as far as she was able, was friendly, and showed none of the extreme inhibitions previously so characteristic. We feel now that the results of tests are trustworthy and give us a basis for diagnosing her mentality. We find that she still does performance tests extremely well. She succeeds with the simpler crossline test, but is still unable to cope with the more difficult one. By Binet tests she grades through all

of the 10-year series and does well three of the 12-year series. She has had good school opportunities but is quite retarded in this respect. In number work she can only do problems in addition, while her reading for a girl of her age is distinctly poor. From these results we must conclude that the girl is, no doubt, subnormal.

The point of this illustration is that because of the numerous factors which entered into the situation previously, one could not fairly reach any definite conclusion nor explain satisfactorily the mental attitude of the examinee.

AN ANALYSIS OF A CASE OF KLEPTOMANIA.

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INTRODUCTION.—The past two years have been very profitable ones for the science of criminology as they have brought to light two books on the subject which concretely reflect, on the one hand, the dying out of the old statistical method of studying the criminal, a method which will never tell the whole story, and on the other hand, the birth of a new kind of approach to the study of the criminal, namely—the characterological approach. The study of crime or anti-social human behavior from this newer standpoint at once becomes a study of character, and demands a scientific consideration of the motives and driving forces of human conduct, and since conduct is the resultant of mental life, mental factors at once become for us the most important phase of our study. Both of these books represent epoch-making culminations of years of hard labor and scientific devotion to criminology by two eminent students—Drs. Goring¹ and Healy.²

Dr. Goring's book, "The English Convict, a Statistical Study," appeared in 1913, and is the result of an intense statistical study of 4,000 English male convicts, to which the author devoted about twelve years of his life. Dr. Healy's book, "The Individual Delinquent", which appeared in the early part of this year, reflects the results of thoroughgoing scientific studies of about 1,000 repeated offenders, during the author's five years' experience as

Director of the Juvenile Psychopathic Institute in connection with the Juvenile Court of Chicago. Numerous reviews of these two books have appeared in medical and criminologic literature, and we shall only touch very minutely upon the difference in the methods of approach to the subject of these two authors as they concern the subject under consideration in this paper. I can do this no better than by quoting from a critical review of Goring's book by White,³ as it happily touches upon our very subject—namely, stealing. "Take the more limited concept of 'thief', for example. One man may steal under the influence of the prodromal stage of paresis who has been previously of high moral character. Another man may steal under the excitement of a hypodermic attack; another may steal as result of moral delinquency; another as a result of high grade mental defect; another under the influence of alcoholic intoxication, and so forth and so on, and how by any possibility a grouping of these men together can give us any light upon the general concept of 'thief' is beyond my power to comprehend."

When one remembers that the 4,000 units with which this really marvelous statistical machinery has worked for twelve long years had nothing more in common than the fact that they were English male convicts—the force of White's argument becomes quite apparent. I need not state that this view of Goring's work is not intended to detract one iota from the full measure of credit which this author deserves. His work will stand forever as one of the monumental accomplishments of the twentieth century.

Our views concerning Healy's contribution to the science of criminology will be reflected in the course of our paper, which will indicate, I trust, in a way his mode of approach to the problem, though he may not agree with me concerning the details of my interpretation of the case which I am about to report.

Definition: Like many another I dislike the term "kleptomania" and would much prefer the term "pathological stealing" to denote the condition under consideration. Pathological stealing is not synonymous with excessive stealing as one would gather from the sensational use of the term in the lay press. Neither is Kraepelin's dictum that kleptomania is a form of impulsive insanity, necessarily correct. It is obviously, however, a form of abnor-

mally conditioned conduct. Healy's criterion of pathological stealing is the fact that the misconduct is disproportionate to any discernible end in view. In spite of risk, the stealing is indulged in, as it were, for its own sake, and not because the objects in themselves are needed or intrinsically desired. This definition at once excludes all cases of stealing from cupidity, or from development of a habit. It furthermore excludes stealing arising from fetichism, pronounced feeble-mindedness and mental disease, such as is for instance illustrated in the automatic stealing of the epileptic.

According to Healy, the vast majority of all instances of pathological stealing are those in which individuals, not determinably insane, give way to an abnormally conditioned impulse to steal.

The Psychopathic Study of Anti-Social Behavior.—In introducing the term "psychoanalysis" into this paper I am fully conscious of the task I've set before me, of speaking clearly and convincingly before an audience composed of medical men, on that vast and highly important subject which one at once links with this term. To strip it of its highly technical considerations, psychoanalysis is primarily and essentially a study of motives, intended to bring about a better understanding of human conduct. We shall leave out from consideration the very intricate technique which this method of approach to the study of human behavior employs except to indicate the chief source upon which it relies for its information, namely, the individual's unconscious, that is, that part of the individual's personality which is outside of the realm of his moment—consciousness, and which is inaccessible either to himself or to the observer except through special methods of investigation. It would be highly desirable, indeed, one would say almost imperative, to give a full discussion of the "unconscious" before a proper and sympathetic understanding of what is to follow can be made possible. This, however, is obviously out of the question in a limited paper of this nature. Volumes have been written on the subject. I will only ask of you to agree with me for the sake of gaining proper orientation with reference to the subject under discussion, in the conclusion which I quote from a masterly paper on the "unconscious" by White.⁴ "We come thus to the important conclusion that mental life, the mind, is not equivalent and co-equal

with consciousness. That, as a matter of fact, the motivating causes of conduct often lie outside of consciousness and, as we shall see, that consciousness is not the greater but only the lesser expression of the psyche. Consciousness only includes that of which we are aware, while outside of this somewhat restricted region there lies a much wider area in which lie the deeper motives for conduct and which not only operate to control conduct, but also dictates what may and what may not become conscious." The foundation upon which the method evolved by the psychoanalytic school rests has been aptly summed up by Healy, namely, that for the explanation of all human behavior tendencies we must seek the mental and environmental experiences of early life. One of the chief aids is gaining that knowledge we have in the study of the dream and symbolic life of the individual. The reasons given for our necessarily limited discussion of the unconscious, are likewise true of the dream and symbolism. Both of these subjects would require for a proper elucidation considerably more space than we have at our command.

Through the dream the unconscious betrays itself—the dream represents the fulfillment of wishes and cravings which, because of psychic and social censorship, have become repressed into the unconscious. During sleep these barriers are in abeyance and the unconscious psyche is given the opportunity for full play, albeit in a disguised and highly symbolic form. The proper interpretation of dreams presupposes a knowledge of the nature of symbolism in the life of man.

When we come now to a consideration of the facts brought to light through the psychoanalytic study of man we are confronted with a still greater difficulty of presentation. There is so much that is of vital importance in this new psychology that we hardly know where to begin. As I'm addressing an audience primarily interested for the moment in criminology, I may do well to begin with the subject of psychic determinism. In contrast to the common sentiment of all people in favor of free will in mental processes, the facts elicited by psychoanalysis point to a strict determinism of every psychic process. Psychoanalytic investigations have shown that in mental phenomena there is nothing little, nothing arbitrary,

nothing accidental. In his book on the "Psychopathology of Everyday Life," Freud⁵ has thrown very convincing light on this subject. Certain, apparently insignificant mistakes, such as forgetting, errors of speech, writing and action, etc., are regularly well motivated and determined by motives unknown to consciousness. The reason that the motives for such unintentional acts are hidden in the unconscious and can only be revealed by psychoanalysis is to be sought in the fact that these phenomena go back to motives of which consciousness will know nothing, hence were crowded into the unconscious, without, however, having been deprived of every possibility of expressing themselves. Thus we see that no mental phenomenon, and by the same token, no part of human behavior, happens fortuitously but has its specific motive, to a very large extent in the unconscious.

The question may suggest itself here "why this extensive participation of the unconscious in mental life?" which brings us to a discussion of the principles of resistance and repression.

In speaking of the "unconscious" I purposely left out from consideration the way in which the sum total of its content was separated from the conscious mental life of the individual, in order to bring it in alignment with the discussion of the principles of resistance and repression. The content of the unconscious, broadly speaking, is brought about through the activity of these two principles. If one endeavors to unearth by means of psychoanalysis the pathogenic unconscious mental impulses, or if we endeavor to bring to consciousness some instinctive biologic craving which may be responsible for the individual's conscious behavior, one regularly encounters a very strong resistance on the part of the patient, a force is regularly betrayed whose object it seems to be to prevent them from becoming conscious and to compel them to remain in the unconscious. This is Freud's conception of the principle of resistance and from its constant coming to the fore whenever an endeavor is made to penetrate into the unconscious, Freud deduces that the same forces which today oppose as resistance the becoming conscious of the unconscious, purposely forgotten, must at one time have accomplished this forgetting and forced the offending pathogenic experience out of consciousness. This mechanism he terms

repression. We spoke of an offending pathogenic experience, or in other words what has been termed a psychic trauma. But the same principle holds true of certain instincts which, because of their peculiar nature, become engaged in a kind of struggle for existence with the ethical, moral and esthetic attributes of the personality and are thrust out of the conscious mental structure as one might say by an act of the will.

We are especially concerned here with these unacceptable instincts, for the elucidation of which a brief review of Freud's theories on the sexual instinct is essential.

Thoroughgoing and painstaking dissection of the human soul, such as has been practiced by Freud for nearly a quarter of a century and by many followers of his theories in the past decade, revealed to him by a number of unmistakable facts from the developmental history of the individual which forced him to postulate his very radical and revolutionary theories of the sexual instinct in man. Recent behavior studies in the higher anthropoids have likewise revealed very interesting facts concerning the sexual instinct of these animals. Freud was led to make certain assertions from his painfully acquired experience, such as the unfailing sexual agency in the causation of neurotic manifestations, and that his experience of many years has as yet shown no exception to this rule, which quite naturally provoked a tremendous lot of bitter and fanatic criticism not only from lay people but from experienced physicians. The cause of this lies in the nature of the thing itself, that much tabooed subject of sexuality. Unfortunately, as Hitschmann⁶ says, physicians in their personal relations to the question of sexual life have not been given any preference over the rest of the children of men and many of them stand under the ban of that combination of prudery and lust which governs the attitudes of most cultivated people in sexual matters. Especially unsavory appears to most people Freud's theory of infantile sexuality, a subject which has heretofore been looked upon chiefly from a moralistic standpoint, and was spoken of by others merely as odd or as a frightful example of precocious depravity. It is somewhat strange that of all the frightful depravities, if you wish to call it so—inherent in man, of the marked criminalistic components universally

present in man which psychoanalytic studies have revealed—the sex depravity should have provoked the most fanatic attacks. Indeed to those accustomed to look at man with the psychoanalytic eye Rouchefoucauld's incisive statement does not at all sound strange. He said, "I have never seen the soul of a bad man, but I had a glimpse at the soul of a good man; I was shocked". I therefore crave the indulgence of those of you who are not familiar with psychoanalytic literature for what I am about to quote briefly from Freud's theories on the sexual instinct in man.

Freud lays special stress upon infantile sexuality as it is manifested in the suckling and in the child. The infant brings with it into the world the germ of sexuality, which is, however, extremely difficult of comprehension, since at this stage the sexual feelings are not directed towards other persons but are gratified on the child's own body in a manner which Havelock Ellis has termed "autoerotic." This autoerotic gratification is gained through erogenous zones, that is, certain areas of the body which are peculiarly sensitized to sexual excitations. Among these erogenous zones may be mentioned the mouth, lips, tongue, anal region, the neck of the bladder as well as various skin areas and sense organs. Already, in 1879, Lindner, a Hungarian pediatricist, has devoted a penetrating study to the sucking or pleasure-sucking of the child. Freud emphasizes that the suckling enjoys in the taking of nourishment sexual pleasure, which it ever after seeks to procure by sucking independent of taking of food. To many it may occasion surprise to learn that sucking is exhibited independently of its relation to the hunger instinct. It is, however, plain that the mouth zone is at first concerned only with the gratifying of the hunger instinct; later the desire for a repetition of pleasurable experiences gained in this way is separated from the need of taking nourishment, thereby transforming this mucous surface into an erogenous zone. It is likewise difficult to conceive by the inexperienced in psychoanalysis, that the child derives pleasurable sensations from the anal zone. Because of the important role which anal-eroticism plays in our case we might speak more fully of this form of auto-eroticism. One not infrequently observes in little children that they refuse to empty the bowels when they are placed on the closet because they

obtain pleasure from defecation, when the retained stool by its accumulation excites strong muscular contractions and in the passage through the anus produces a strong irritation of the mucosa. The importance which scatological rites and ceremonials, that is, certain peculiar niceties practiced in connection with the emptying of the bowels, play in the evolution of the race have been extensively discussed in literature. Havelock Ellis' says in this connection: "The most usual erotic symbolisms in childhood are those of the scatologic group, the significance of which has often been emphasized by Freud and his school. The channels of urination and defecation are so close to the sexual centres that the intimate connection between the two groups is easily understood." There is undoubtedly a connection between nocturnal enuresis and sexual activities, sometimes masturbation. Children not infrequently believe that the sexual acts of their elders have some connection with urination and defecation, and the mystery with which the excretory acts are surrounded helps to support this theory. Up to puberty scatologic interests may be regarded as normal; at this age the child has still much in common with the primitive mind, which, as mythology and folk-lore show, attributes great importance to the excretory functions."

Many of these ceremonials one regularly discovers in the analyses of neurotics. We shall not dwell further here upon the erogenous zones' activity in the suckling, but emphasizing again its importance along with the importance of autoeroticism in the sexuality of the suckling will pass to the next phase of the psycho-sexual evolution of man—the latent period.

The germs of sexual excitement in the new-born develop for a time, then undergo a progressive suppression in a period of partial or complete sexual latency. During this period, which is normally interrupted at about the third or fourth year, as result of organic evolutionary processes and the indispensable help of education, those mental forces are formed which appear later as inhibitions to the sexual instinct and narrow its course like dams; mental forces such as disgust, the feeling of shame, the esthetic and moral standards of ideas. During this "latent period" a part of these sexual energies is separated from the sexual aim and applied to cultural

and social ends, a process which Freud has designated by the name sublimation as important for culture, history and the individual.

Sublimation or the socialization of the sexuality therefore is the transformation and utilization of certain components of the sexual instinct for aims no longer sexual in nature. At the end of the latency period the child's sexuality reappears, frequently but not necessarily induced prematurely by seduction. In addition to the autoerotic gratifications spoken of above, the child is now capable of the choice of a love-object accompanied by erotic feelings. Because of the dependency of the child this first choice of a love-object is directed towards parents and nurses, either of his own or of the opposite sex. "Incest complex."—Now, too, the child under the influence of occasional seduction may become polymorphous-perverse, that is, may become subject to any form of sexual perversion. He likewise shows a preference in the selection of his love-object for his own sex homosexuality.

At puberty two significant changes take place in the psychosexuality of the individual. First the primacy of the genital zone asserts itself, and second, the heretofore autoerotic character of the sexual activity is lost and the instinct finds its object. In order that the former change may be successfully brought about, there is necessitated an amalgamation of all instinctive tendencies which proceed from the erogenous zones and a subordination of all the erogenous zones to the primacy of the genital zone. All this is facilitated by the development of the genital organs and the elaboration of the seminal secretion. To these conditions there is also added at puberty that "pleasure of gratification" of sexuality which ends the normal sexual act, the end pleasure. The second function, the choice of a love-object is influenced by the infantile inclination of the child towards its parents and nurses which is revived at puberty and similarly directed by the incest barriers against these persons which have been erected in the meantime. If on account of pathological heredity and accidental experiences this amalgamation of the excitations springing from various sources and its application to the sexual object does not occur, then there result the pathological deviations of the sexual instinct, determined in part by earlier processes, such as a preservation of a definite part of the

original polymorphous-perverse tendency. The perversions are thus developed from seeds which are present in the undifferentiated tendencies of the child and constitute in adults a condition of arrested development.

Thus we see that the sexual impulse does not suddenly emerge as a new phenomenon at the age of puberty, but that the form assumed at this period is gradually evolved from rudimentary elements present even in the earliest years of life. Sexuality is not absent in the child, it is merely different, being unorganized and imperfectly adapted to its later functions. All this primordial mass of pleasurable activities enumerated above, undergoes profound modifications as the result of growth and education. One part only becomes selected and differentiated so as to form the adult sexual impulse in the narrower sense. A greater part is found to be incompatible with social observance, and is repressed, buried, forgotten. The repressed impulses, however, do not die, (it is much harder to kill old desires than is sometimes thought) but continue throughout life to strive toward gratification. This they cannot do directly, and are thus driven to find indirect, symbolic modes of expression. The energy is transformed into these secondary, more permissible forms of activity, and furnishes a great part of the strivings of mankind that lead to social and cultural interests and development in general—sublimation. (Jones.)

I don't know whether I have succeeded in putting before you clearly enough the Freudian views of sexuality, limited as I have to be in my expositions of his theories. I do wish, however, to leave with you the impression which one must gain from two sentiments frequently expressed by various authors, namely "Man sexualizes the universe", and "Man is what his sex is."

Sexuality and Criminality. A method of psychological analysis which aside from its originally restricted field has already thrown so much light upon various cultural aspects of life, such as art, poetry, religion, folk-lore and mythology, cannot fail to furnish some very helpful discoveries for the problem of criminology. As far as pathological stealing is concerned a number of very suggestive studies have already appeared, a review of which Albrecht has prepared for the Journal of the American Institute of Crim-

inal Law and Criminology. The fact that rich, or at least well-to-do, women are sometimes guilty of theft in the big department stores has always received a certain amount of attention. Studies of this phenomenon have been made by Duboisson, Bontemps, Losegue and Letulle. In each case examined the women declared that some unknown power had suddenly compelled her to touch some object and put it in her pocket.

Stekel,⁸ a Viennese psychotherapist, claims to have repeatedly proved to himself by psychoanalysis that the root of all these cases of kleptomania is ungratified sexual instinct. These women fight against temptation. They are engaged in a constant struggle with their desires. They would like to do what is forbidden, but they lack the courage, theft is to them a symbolic act. The essential point is that they do something that is forbidden, touch something that doesn't belong to them. We cannot give here the analyses reported in the literature, though I assure you that they carry very convincing proof of the tremendous role sexuality plays as a direct or indirect part in the causation of pathological stealing. This is not confined only to thieving connected with fetichism, numerous cases of which have been reported in the literature. But even less radical Freudians than Stekel admit the importance of sexuality in pathological stealing. Thus Healy, who is eminently fit to speak authoritatively on the subject of recidivism, and who is unusually conservative in his statements, has the following to say: "The interpretation of the causes of this impulse to steal is of great interest. We have shown in our chapter on mental conflicts how it may be a sort of relief phenomenon for repressed elements in mental life. The repression is found often to center about sex affairs." Again, "The correlation of the stealing impulse to the menstrual or premenstrual period in woman, leads us to much the same conclusion. Gudden, who seems to have made the most careful studies of the connection between the two phenomena, maintains that practically all cases of shoplifters whom he has examined were, at the time of their offense, in or near their period of menstruation." Healy does not go beyond this. He is as yet not ready to agree that some sex difficulty is the only conflict back of kleptomania.

With these introductory remarks we will proceed to the discus-

sion of our case. X, a colored boy aged 23, was admitted to the Government Hospital for the Insane on January 16, 1915, from the District Jail, where he was awaiting trial on two indictments for larceny.

Anamnesis obtained from the patient, his relatives and official sources is to the effect that the patient comes from an unusually refined colored family, his father being a rather prominent colored minister in this city. The patient is one of eight children, all of whom with the exception of the patient have led a normal and fairly successful life. He was born in Washington, D. C., April 17, 1892. Birth and early childhood up to four years of age were normal. At about four years of age he was bitten by a large St. Bernard dog rather seriously, following which he was ill for about two months. He was rather restive under this enforced confinement and one day in attempting to escape from the house he fell from a second story window. His relatives attribute all his difficulties to these two accidents, for it was soon after that his stealing tendencies became manifest. The patient himself can only place approximately the onset of his stealing propensities, stating that he was quite young and that his first theft consisted in stealing ten cents from his father. It was in connection with this theft that he first experienced the sensations to be described later. His school career was irregular owing to the interruptions necessitated by his repeated sojourns at the reformatory. He entered school at the age of 7 and at 11 was sent to the Reform School for the first time. This step was taken by his father because the patient for some years previously had been frequently placed under arrest on charges of larceny. He showed, according to the statements of his relatives, a decided preference for horses and vehicles of all sorts, which he would utilize for joy riding, although he not infrequently stole objects of which he could make absolutely no use. One time, for instance, he stole a dozen bricks from a neighbor. The chief probation officer of the District of Columbia, who was an official of the reformatory during the patient's sojourn there, states in a letter to the hospital the following: "While there he (X) gave very little trouble, except in the way of stealing. He would steal any and everything he could get hold of. It mattered not whether

the article was of any use to him or not. After stealing an article or articles he would make very little effort to hide same, and when taken to task and charged with having stolen an article he would acknowledge same, but would say that he did not know what made him take the article only that something told him to take it and when this thought came to him he did not have the power to resist it, but felt that he was compelled to take it. At the Training School we looked upon him as a rather peculiar subject. We really never considered him insane, except that his desire to steal might be classed in that line."

It is somewhat difficult to get a coherent and full account of the patient's delinquencies. His record at the National Training School is as follows: "Rec. on September 4, 1906, sentenced by the D. C. Juvenile Court charged with larceny, escaped August 30, 1907. Returned from elopement September 5, 1907, special parole to father October 23, 1909. Recommitted by D. C. Juvenile Court February 3, 1910, charge larceny. May 2, 1911, escaped from Freedman's Hospital while left there for treatment after operation. Returned on May 25, 1911, from Baltimore, Md. July 13, 1912, escaped." During his various sojourns there he was noted to be wilful and unprincipled. Every time he gained his freedom his father attempted to keep him at school, thus he attended night school and Law Department of Howard University for short periods. His father likewise put forth many genuine efforts to reform the boy, plead with him and begged him, supplied him with considerable spending money, but his efforts were as fruitless as the various punishments he underwent. The boy would behave well for a while but sooner or later he would be arrested for stealing. Patient states that he stole many times when he successfully evaded the police, that he frequently took unusual chances in his escapades, preferred to steal in the daytime and it was this that led him to believe that God had chosen this particular mode of life for him, and that as a result of this conviction he practices the habit of giving one-fourth of his earnings to charity. He had learned from his father that somewhere the Bible teaches to give one-fifth of the earnings to charity, but owing to the nature in which he acquired his possessions he felt that he ought to give more to charity, a rather characteristic mode of rationalism for a man of his type.

Aside from those arrests recorded above he has been arrested in the cities of Baltimore, Philadelphia and New York, always for stealing and spent about nineteen months in Pennsylvania Industrial Reform School. His latest arrest and subsequent admission to the Government Hospital for the Insane was the result of an attempt at housebreaking on August 1, 1914. He states he entered this house with the full intention of robbing it, that he found considerable jewelry and some \$30 in money which he collected on a dresser, when he suddenly began to think of his mother, and the anxiety he would cause her should he be caught in this act, whereupon he left everything on the dresser and left the house. He was detected leaving the house, which brought about his arrest. Patient states that such acts on his part were not unusual, that he not infrequently left a robbery incompleated upon thinking of his mother.

On admission to this hospital the patient made a normal impression. He gave a coherent account of his past life, was apparently quite frank and truthful and endeavored to coöperate with the examiner to the best of his ability. He was clearly oriented, free from frank delusions and hallucinations but said in explanation of his stealing habits that it is the influence of God that makes him steal, because he has been so successful at it, and because he has always given one-fourth of his income from stealing to charity. (He rationalizes very efficiently in this manner.) He likewise stated that frequently in the night before he commits an offense he dreams of a man leading him and instructing him what to do. He used to think that it was a representative of God whom he saw in the dream, but since he has had the talk with Dr. H., who told him that it was only the devil who tempted him to do these things, he has changed his mind about it. Special intelligence tests revealed no defect, and his stock of information was commensurate with his educational advantages. He was well informed on current events and readily adapted himself to his new surroundings.

Physical examination showed him to be a fairly well developed colored male, slight acneiform eruption over back, slight asymmetry of head, ears close set to head, lobules attached, palate high arched. There was likewise present a slight depression in right supraclavicular region, lung over this area slightly impaired. Heart

sounds slightly roughened, urine and Wassermann with blood serum negative.

During his sojourn here his conduct has been exemplary. He worked steadily in Howard Hall workroom and occupied his leisure time in reading and playing musical instruments, two of which he knows how to manipulate fairly well. It is significant that as far as known the patient has not evidenced any tendency to steal since here, although the first few days of his sojourn here he experienced the sensations which usually accompany his stealing escapades. A carefully kept record of his dreams, in which matter the patient apparently coöperated to the best of his ability, likewise failed to reveal any of the pre-stealing dreams mentioned above.

Analysis: The suggestive points in the patient's history are the repeated commission of a similar offense, namely, stealing notwithstanding the frequent punishment received; the stealing when he actually had no necessity for it, being at times when he stole well supplied with money; the stealing of objects for which he had no use and which he could not convert into money, as stated in the Reform School records; the patient's belief in his destiny as a thief and the methods he employed in atoning for his conduct, such as the giving of one-fourth to charity, and lastly the peculiar physical and mental sensations which accompanied the act of stealing. The inquiry was conducted along these lines: In the first interview the patient could throw very little light on his difficulties. He stated that he had tried repeatedly to quit stealing, that he realized he was causing his parents a great deal of anxiety on account of his habits, and bringing a good deal of trouble upon himself, that he genuinely regretted his past acts and that he believed he could possibly abstain in the future from stealing. Later interviews revealed, as has already been stated, that his first theft was committed upon his father when he stole ten cents, and it was upon this occasion that he first experienced the peculiar bodily and mental sensations. He describes these in his own words as follows: "I begin to feel giddy and restless and feel as if I have to do something. This feeling becomes gradually more marked until I feel compelled to enter a house and steal. While stealing I become quite excited, involuntarily begin to pant, perspire and breathe

rapidly as if I had run a race; this increases in intensity and then I feel as if I had to go to the closet and empty my bowels. After it's all over I feel exhausted and relieved." The feeling of exhaustion and relief was in a later interview spontaneously described by him as being like that one experiences after coitus. In the early days of his career he used to go to the closet in response to the anal sensations, but he never actually had to evacuate his bowels, so that of late he does not do this any more. At first he had these sensations only when stealing from his father, later also when stealing from his mother, and finally he would experience them whenever he stole. It is of interest to note here his attitude towards his father. In the early stages of the analysis he staunchly maintained that he loved his father very much, that he honored him and felt very sorry for all the troubles he was causing him, but further inquiry revealed positively that he showed a decided preference for his mother, that the latter always took his part when he was punished by his father, that he felt extremely angry at his father on a number of occasions in the past because the latter punished him often, but it was only after the analysis and proper insight on the part of the patient into the following dream that he admitted that he had sometimes wished his father dead. He dreamed on February 4th that his father had died, that he could see his father in a coffin, and his mother, sister and brothers weeping. "I awoke before I could finish the dream." The first attempts with the patient at analyzing this dream produced quite an upset, a good deal of emotionalism and tears, especially when it was suggested to him that the dream might express a wish. In an interview on February 15th he said that he no longer thought that the above suggestion was an impossibility, that perhaps there was a good deal of truth in it, although he is certain that consciously he had never entertained such ideas in reference to his father. There was no effective manifestation in connection with this statement.

Another dream which he had the night before the preceding dream is to my mind an extremely important one, reflecting as it does the patient's real conflicts. He dreamed on February 3d that two of his brothers came over to visit him. They brought a young girl over that he used to keep company with, and told him that if

he would marry they could get him out. He replied that he would never marry any girl, and one of his brothers said, "Then you will never get out of this place." They then quarreled, the brother insisting that he just had to marry, but he still refused. The girl pleaded with him to marry her, saying that she would do a good deal for him, but he still refused. In parting one of his brothers said to him, "Then go to your ruin, we will never do anything for you again." The patient then awoke perspiring and mad as if he had actually been quarreling. Thus the dream reads, "Marry and you'll get out of here, otherwise go to your ruin; we will never do anything for you." In other words, "lead a heterosexual life and your troubles will be over; continue as you are now, you'll go to ruin." This argument of the unconscious taken together with the group of sensations which the patient always experienced when stealing, and which he spontaneously likens to the sensations of a sexual act, and furthermore the quite evident and erotic fixation already throw a good deal of light upon the patient's difficulties.

He further dreamed one night that his mother got him a situation with a widowed man. His duties were to take care of and keep in good order the man's three horses. One of these horses was a vicious one, the other two were mild. If one were to think of the three horses as of a phallic symbol the significance of this dream at once becomes apparent. The patient associated the vicious horse, which always tried to bite him, with his father. Here too it was the mother which comes to his aid.

A number of other dreams recorded by the patient manifest simple wish fulfillment and are of no especial interest.

In his habits the patient was always of a jolly, sociable disposition, enjoyed fun very much and for many years back he had a keen desire to become a detective. In fact if he had any ambition in life at all it was this. On many occasions in the past he played detective; he would track people on many occasions for hours at a time. What is of marked significance is the fact that on a number of occasions when he did this he experienced similar bodily sensations as he did when stealing. The detective sensations were never as intense as those accompanying stealing and never reached the climax. It was only yesterday that the patient told me sponta-

neously in the course of an interview that he supposed he never reached the climax in his detective experiences because he has never arrested anyone. Thus we see that along with his anti-social sublimation of his anal eroticism, the patient attempted a more useful sublimation. Unfortunately the one depended simply upon his exertions and bravado, while the other required for its fulfillment society's recognition of his desire and some ability for detective work. I am firmly convinced that these two activities of the patient, namely stealing and detection of crime, are the results of his endeavor at sublimating a totally unacceptable homosexual career. On one occasion, and he claims that it is the only one in his life, a fellow prisoner in the reformatory attempted a sexual assault upon him. He retaliated by striking the fellow on the head with a chair, for which he was severely punished. While we may rely quite fully upon the information furnished by the patient and upon that obtained from other sources for the purpose of building up our theory of the case, it will not be amiss to take into consideration those points in the patient's conduct while under observation, which further substantiate this theory.

We have it from a reformatory official that while at that institution the patient frequently stole articles which were of no value whatever to him, that he did not attempt to conceal his thefts, and that when upbraided for his conduct, he stated that he could not help it, etc. At that institution he evidently entirely relied upon his stealing sublimation for his sexual gratification. It may be that he had as yet not become conscious of the possibilities of the detective play. In this hospital he had desires for stealing on two occasions, soon after his admission, but resisted the temptation. Following the manifestation of our active interest in his case, he became more and more confident in his ability to withstand these temptations, and as far as could be judged manifested a genuine desire to reform. Of course the biologic sex difficulty is still present, its demands are probably just as insistent as ever, and having rejected, for the present at least, the possibility for expression through the stealing channel, he resorts to the only other channel he knows of, detective play. In line with this he handed me one morning (March 30, 1915,) a note which stated that some in-

formation had come into his possession which he thought would be of very great value to me, and requested a private interview. After cautioning me as to the method of procedure he assured me that he did this piece of detective work solely because he felt very grateful for our effort to help him out of his troubles. We must note the meticulous manner in which he carried out the entire procedure. For some time past he had been in the habit of handing me each morning a uniformly folded sheet of paper containing the dreams of the previous night. On that morning he had two of these folded sheets in his vest pocket but he handed me only the one containing the above note, because he says he feared that I would read only the one containing the dream and miss the other. During the interview which followed as result of the above note, he handed over to me a bunch of petitions written by a famous litigant in the criminal department, which were to have been delivered by the patient to his relatives with the object of getting them to their final destination. Aside from the fact that the author of these petitions was by no means a simpleton, or very credulous, it must have taken a good deal of ingenuity and skill on the part of the patient to gain this fellow's confidence, knowing as I do that the latter had a special grudge against the patient because they are the only two in the Howard Hall Department who enjoy some special privileges in common, such as attending chapel and amusements.

This compulsion of attending chapel as he puts it, with a negro, has been the litigant's chief grievance during the past two months, and he has accordingly expressed himself in some very choice language when speaking of the patient. Nevertheless the patient has succeeded in gaining his full confidence, and the interest and pleasure which the patient manifested in detailing to me his mode of procedure in accomplishing this is really very striking. It was during the interview that he stated, "I suppose the reason I never reached the climax when playing detective is because I have never arrested anyone. This is the work I would like to do, Doctor, I hope some day I'll be able to get a job with some detective agency."

I regret to have to omit many interesting details from the analysis of this case owing to the necessary limitations of a paper of this sort. To me the analysis of this case has been a revelation. For

a number of years past I have been intensely interested in the problem of recidivism, and although I have had many opportunities to study the recidivist, and have seen a number of very interesting cases, the histories of a few of whom I have reported several years ago, I have always felt that I had never touched the real specific cause of a life of recidivism in a given individual. Why a man, an apparently intelligent man, and many of them are far from suffering from a purely intellectual defect, should choose a career of crime and in spite of repeated severe penalties should keep on recurring to it, has always been an unsolved mystery to me. I have been especially perplexed about those cases which repeatedly committed the same crime, and although in some instances an apparently plausible explanation was found in an existing psychosis, or strong psychopathic makeup, these explanations were in many instances unsatisfactory.

Let us see what the repeated commission of theft means to the individual whose history we have just reported. We have seen that his own explanation of that series of physical and mental phenomena which always accompanied the act of stealing were not only much akin to the physical and mental state which accompanies the act of sexual congress, but were actually recognized as such by the man himself. In other words the motive and instinctive prompting which led this man to the act of stealing were the same which lead normal man to the act of sexual congress. It would be inconceivable without further explanation why this colored boy should repeatedly resort to stealing as a means of sexual gratification in spite of the trials and tribulations which this carried with it, when he had all the opportunities to gratify this desire in a natural heterosexual manner, as others of his race have no difficulty at all in doing.

The answer lies in the type of sexual gratification which his stealing supplied. We have mentioned the anal sensations, the feeling as though there was something in the rectum of which he had to rid himself, and which for years led him to run to the toilet soon after the commission of a theft. To one versed in the psychology and manifestations of the sex instinct this can only mean one thing, namely, that we are dealing here with a homosexual whose

erotic receptors were concentrated in the anal region, with an anal-erotic.

The possibility of a full, happy, satisfied existence for this individual lays in the gratification of this biologic, instinctive and perverse sex-craving. It is the intense revulsion, the protest of his whole personality against such mode of sex-expression which brought about the habitual stealing in this individual. So soon as he discovered that the emotional accompaniment of the act of stealing served to gratify this biologic sex-craving he clung to it with the tenacity which characterized his life of recidivism. In other words, the presence of sublimation of which we spoke took an asocial turn in this individual, with the resultant pathological stealing.

It would lead us far beyond the scope of this paper to discuss the problem of the genesis of homo-sexuality, and we shall not attempt it.

The impression which I desire to leave with you is that in this case of pathological stealing we are dealing with a form of asocial behavior which has its roots in a mighty, instinctive, biologic craving, which demands gratification at any cost.

Furthermore, because of the nature of this etiologic factor the chances for reformation are very poor, which prognosis has already been justified by the subsequent career of this patient. He is at present again under arrest for grand larceny and housebreaking.

It would be premature to draw any general conclusions from this study, or to promulgate any general principles of treatment. All that the paper is intended for is to stimulate further interest in criminologists for research along these lines.

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REPORT OF THE COMMITTEE ON JAILS, LOCKUPS AND POLICE STATIONS.

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This report relates to the problems of penology represented in the maintenance and administration of local prisons. As a designation of this general subject, the title *jails, lockups and police stations* was adopted at the creation of this committee in 1911. It has been the practice of previous reporters for the committee not to limit the discussion strictly to technical problems of jail administration, and this will not be done in the present paper. The unorganized state of public opinion regarding a complete modern system of treatment of the misdemeanor class calls for a liberal interpretation of the scope of discussion in this section.

The following table is derived from statistics given in *Bulletin 121* of the United States census:

	IN INSTITUTIONS JANUARY 1, 1910.		COMMITTED DURING 1910.	
	Number.	Per Cent.	Number.	Per Cent.
State prisons, penitentiaries and reformatories.....	67,871	49.7	27,732	5.6
County jails, workhouses and chain gangs.....	35,008	25.7	275,658	55.8
Municipal jails and workhouses.....	8,619	6.3	176,397	35.7
Institutions for juvenile delinquents.....	24,974	18.3	14,147	2.9
Total.....	136,472	100.0	493,934	100.0

Many more important relationships are shown by these statistics which need not be reviewed. It is of special interest to observe

that, of the total population of all penal institutions at a given time, January 1, 1910, 32 per cent. were in county and municipal institutions—the class covered by this study. But the “volume of business” of these local institutions is much better shown by the number received during the year than by those found incarcerated on any given date. Thus we find that 91.5 per cent. of all prisoners committed during 1910 were sent to these local institutions. While this ratio would be reduced by correction according to the number of “repeaters”, it may fairly be used as an indication of the importance of local prisons. The emphasis does not appear to be misplaced when one considers the number who are committed temporarily to jail and subsequently released unconvicted, who are not taken into account by the census. Further, it will be observed that, while less than one-half as many were committed to the state institutions during the year as were present at the beginning of the year, correspondingly more than ten times as many were committed to local institutions. Finally, by way of comparison with the last previous study of the sort, that of July 30, 1904, in the intervening period of a little less than six years, the total number enumerated in local prisons more than doubled, and the total committed during twelve months more than quadrupled. During the ten years 1890-1900 the population of the United States increased 21 per cent. More thorough analysis is needed to comprehend the interesting statistics gathered by the federal census, and especially to guard against hasty misinterpretation of fluctuations; but even brief reference is sufficient to establish the great and growing importance of the problem of treatment of the misdemeanor class.

Statistics such as the federal census has been able to gather, including the general classification of offenses, show fairly well the magnitude of crime, but only in a limited way can they be expected to portray the quality of such problems as those under the consideration of the committee. For the latter purpose a much safer guide is the experience of any State in which the subject has had considerable attention. This is natural, for the treatment of crime is chiefly a state function.

But the essential character of the problem appears only with a knowledge of the individual cases involved. A man, woman or

child may, almost accidentally, have committed some contravention of the law, or a prisoner may be a professional criminal apparently incapable of reformation. A prisoner may grade anywhere from zero to "400" in the social scale, though statistics show that, for the most part, those committed for misdemeanors are artisans and day laborers. One may find in the jail prisoners convicted of any of the scores of offenses in the criminal code, and others who may have been committed on only slight suspicion, or who are incarcerated temporarily for non-criminal causes. Court sentences are of wide variety under the varied codes and customs of different States and communities. The prisoner is "doing time" in an institution that may represent the ideals or neglect of any period from colonial days to the present. Usually he is treated without respect to the physical bases of crime, with comparatively little effort on the part of the State to conserve his domestic interests—if he have a home—or to reset him in society after his abnormal experience. So it appears that the essential factors in the establishment of a common-sense system of reformative treatment of petty criminals are the actual condition of the individual offender and the effectiveness in each specific case of the process of corrective rehabilitation. Our chief regret in the preparation of this report is that there is not sufficient space for copious illustration with case descriptions, as it is our conviction that all reforms in this field must be based on a more systematic and intelligent effort to understand the peculiar condition and needs of the individual delinquent.

The local jail has long represented the entire process of treatment of the misdemeanant. Incidental to the main thesis of this paper, however, it is intended to demonstrate that (1) the old-fashioned jail is unsuccessful as a means of reformation of the petty criminal, and (2) the making over of this institution is only part of a larger scheme of treatment whereby we may hope to reduce the burden of crime. It would be manifestly illogical at this stage, when the more comprehensive plan has not been brought home with sufficient emphasis to the consciousness of those who are dealing with the problem, to devote our attention exclusively to the administration of jails, narrowly conceived as a problem of prison science. The functions and duties of jailers should, to be

sure, be limited sufficiently for purposes of practical administration. The natural limitations of official action in any department of government must not be lost sight of. But if the historic jail is in a state of evolution, we can neither give much encouragement to the well-intentioned jailer who has long wanted to see better results from his efforts, nor hope to halt the process of training criminals for the future, until there is a better understanding of the entire new system toward which we are tending. To devote attention now exclusively to the jail itself would be no less short-sighted than the naive and frantic efforts of the English a century and a half ago to stop the spread of contagion from their overcrowded jails by erecting exhaust fans on the roofs.

To demonstrate and to record the important change that is believed to be taking place in the aspect of the local jail question is the main object of this report. From the literature of the subject, from conversation and correspondence with representative officials concerned with jail administration, and from personal experience and observation, we are convinced that the principles and practical issues involved in handling this subject twenty-five years ago and now are widely different. Under two such different régimes an identical procedure should not be expected. Many authorities dealing with the jail question today are confessedly discouraged. Yet why should they be if there is a sign of hope on the horizon? It would be a matter of chagrin to us to discover that we are postponing the ideal day by too long consorting with outworn principles, that we are lingering in sight of the "promised land".

The literature of this local jail question holds in store for the student of social reform a disappointing experience. The matter has not been under discussion so long without our learning many facts and principles. Nevertheless, President Byers truly summed up the situation in his address before this Association in 1898 when he said: "If we are to judge from what has been said or written in the past ten or twenty years regarding the county jails of our country, we are today little, if any, in advance of our model of more than a century ago." Mr. Byers came to the conclusion that what progress had been made was along material lines. The late Dr. Fred H. Wines, in his masterful address at the Boston meet-

ing of the National Conference of Charities and Correction on "The Abolition of the County Jail", said: "Of all the reforms included under the general title of prison reform in the United States, none is so urgent as the overthrow of our existing system of dealing with misdemeanants. Three-fourths of those in custody are in fact held in institutions, the practical effect of which is to train an unascertained percentage of their inmates for the penitentiary." But, notwithstanding such scathing arraignments, this subject has not had the continuing intelligent attention which it deserves. Perhaps a partial explanation can be found in the fact, for example, that in Dr. Wines' splendid review in 1890 of "Twenty Years' Growth of the American Prison System", the jail question is scarcely more than mentioned. Only recently have authorities in a few States begun to demonstrate that the work of jails is part of a complete system by which the State undertakes to combat crime. A committee on this subject in this Association has been continuous only since 1911, and it is still called "special". The appeal of Dr. Hastings H. Hart at the 1907 meeting may well be recalled: "I candidly believe that we have reached a point in the development of prison reform when the National Prison Association ought to address itself systematically and faithfully, for a series of years, to the reformation of the county jail system."

In contrast with the standstill we have reached with the jail question, recall the progress we have made in the solution of other social problems. The sister institution of the jail, the county almshouse, has been, in many States, fairly well reclaimed from its early deplorable catch-all character. Children have been removed by legal prohibition, the insane have been taken for specialized care to state institutions, the number of feeble-minded in almshouses, as shown by the last two census reports, was reduced in six years by almost fifty per cent. Within a very few years we have made great headway in the solution of the problem of community recreation. Remarkable improvements have been made in the last two decades in the administration of voluntary charity. Organized effort has, within ten years, been amazingly effective in the reduction of the child labor evil. While in some instances needed reforms have come about too slowly, perhaps no other problem can

be named for which methods of partial solution have been so long and so well known, with which we have made so little progress as in the treatment of minor offenders.

It would be an unfair representation of developments in this field to make a clear distinction between ideals of the present and of the past. Nevertheless, a somewhat arbitrary division is necessary in order properly to portray the trend of present-day thought and action. Thus, in a general way it may be said that, for the most part, the following principles and ideals have been developed and emphasized in respect to local jails up to the last five or ten years:

1. *Security.* This was the primary principle in the development of jails in the early days. It explains the massive, medieval structures everywhere to be seen, so impossible to administer according to modern standards, and so difficult to modify.

2. *Cleanliness.* This has been an important consideration since the days of the jail fever. It is to be secured chiefly through the adoption of sanitary devices and through persevering administration.

3. *Food.* While the opportunity of improvement of the criminal through the adoption of better dietary standards has received scarcely any attention, a comparatively negative aspect of the food question—the method of furnishing meals to prisoners—has made it one of the chief issues in jail reform. A member of this committee writes: “The per diem system of dieting is the curse of the jail”. In a few States, after hard struggles, laws have been passed requiring that food be furnished prisoners on the basis of competitive bids.

4. *Moral Supervision.* From the earliest days this has consisted mainly of the conduct of religious exercises by persons who have little contact with or conception of the jail problem, frequently under the eyes of an indulgent but skeptical jailer. An effective scheme of practical moral supervision has yet to be invented.

5. *Classification of Prisoners.* This principle, first emphasized for the sake of the most elementary requirements of decency, has had great attention in the last twenty years. It is possibly the

most fruitful one of the entire list, for logically carried out it will mean the complete individualization of treatment on the basis of the offender's mental make-up and social condition. But classification is shamefully neglected in a great majority of jails. An indication of the possibilities of the principle is to be seen in the effects of establishing the star-class system (for first offenders) in the English local prisons. It is reported that during the first twelve years of its operation only 9.1 per cent. males and 14.2 per cent. females, first offenders, were recommitted.

6. *Abolition of the Fee System.* It has been known for many years that the political connections of sheriffs are a constant obstacle to reform measures, and that the evil is intensified by the fact that the sheriff's office is generally supported on the basis of fees. The movement, fast gaining strength, for putting the sheriff's office on a salary basis is an important part of the program of jail reform. With this ideal is usually combined that of better selection of and more permanent tenure for jailers.

7. *State Inspection.* The period under review includes the establishment of the principle of inspection of local jails under state authority, with power to enforce the abandonment of jails below a certain standard. New York, Indiana and Alabama afford good examples in this respect. State inspection is general in the United States, though legislatures seem loath to give to administrative authorities summary power of condemnation.

8. *Standardized Jail Rules.* In some States it has been attempted to supersede prisoners' moot-court rules and the personal inclinations of sheriffs in the management of jails with standardized rules promulgated by state authority. The tendency has been to stop short with mere recommendation on the part of state boards, on account of interference with local authority.

9. *Standardized Specifications for Construction and Repairs.* Such standard specifications have been adopted in a few States where supervision is furthest advanced, in connection with the approval of plans made by local authorities.

The foregoing are principles that have been evolved in handling the jail question, rather than *ideals*. Until quite recently we have

had no conscious policy in the treatment of the misdemeanor, just as formerly we had no policy in the administration of the catch-all almshouse. The American jail has not been an ideal institution. Scarcely any of those services which the State ought to render in the effort to turn the novice in crime into paths of righteousness does the old-time jail system perform, and many conditions directly subversive of character it perpetuates. To quote Dr. Wines again: “. . . the best jail that was ever built, although the physical treatment accorded to its unfortunate inmates may be perfectly humane and just, fails to subserve any of the ends of a prison except that of confinement”. But these principles, based on experience, are not negligible. They are all live issues in the modern program of jail improvement, and a recurrence to them is a good antidote for visionary reform.

But a larger conception of the problem of the petty offender is necessary as a basis for comprehensive, flexible and hopeful handling of the local jail question. In the last decade there have come into prominence, under widely varied leadership, a series of measures and principles which are completely changing the nature of this issue. Sufficient experience has been accumulated to warrant positive conclusions. While proposals to supersede or modify established institutions should be critically scrutinized, it behooves us to give all possible credence to efforts that point a way out of the present discouraging situation. These measures are, of course, involved in any statement of the earlier development of ideas concerning the jail. But for the most part they represent ideals of a new period. The newer system includes:

I. Methods involving a change in the plan of incarceration.

(a) *State penal farms.* Perhaps the most revolutionary and practical proposal for the cure of the jail evil is that prisoners sentenced for any but the briefest terms should be sent to state farms. The plan has developed out of successful experiments in outdoor work for convicts, and of the removal of municipal houses of correction to the country, beginning with Cleveland, Kansas City and the District of Columbia. In New York farms are conducted in connection with the jails of three counties, two of the county penitentiaries are likely soon to be moved to the country,

and a state farm for male misdemeanants 16 to 21 years of age is in process of establishment. In Indiana 1,605 acres have been purchased near the center of the State for a state institution for misdemeanants, and the construction of buildings begun. Inmates are to be received on sentences of sixty days or more who otherwise would serve their terms in county jails. It is intended later to establish similar institutions in other parts of the State. Indiana had made a beginning on this principle previously in the establishment of a state institution for female misdemeanants. In other States movements are growing for the establishment of state farms for minor offenders. On special inquiry we find the creation of institutions of this character to be the practically unanimous desire of reformers in this field in the leading States.

(b) *Payments to prisoners in the nature of wages.* This principle has been approved by the International Prison Congress as of interest to the State, the object being the support of the prisoner's dependents and their rehabilitation.³ Payments to convicts are optional with prison authorities in a number of States, and the way seems clear for the adoption of the principles with respect to the misdemeanor class. In the administration of the Kansas City Municipal Farm up to \$1.00 a day may be allowed the family of any prisoner, dependent upon their needs as revealed by direct investigation.⁴

(c) *Revision of sentences.* The principle of systematic revision of sentences on the basis of more complete knowledge of the criminal and his action subsequent to conviction has been established through the success of the indeterminate sentence acts. A very considerable proportion of prisoners now in penal institutions are serving indeterminate sentences.⁵ The indeterminate sentence now applies to persons committed to the New York City workhouse, penitentiary and reformatory, and a general extension of this important principle to the misdemeanor class may be expected.

(d) *Habitual offender acts.* A recent study at Springfield, Illinois,⁶ shows that 45 per cent. of those convicted in the city courts are repeaters. The desirability of a plan of sentence and treatment which takes into consideration the repetition of offenses is generally conceded. The British Parliament in 1908, after protracted atten-

tion had been given the subject, passed the Prevention of Crime Act, under which it is possible to add from five to ten years to the sentences of recidivists, and a special Preventive Detention Camp has been established on the Isle of Wight. In New York State women misdemeanants thirty years of age or more who have been convicted as many as five times in two years may be sent to the State Farm for Women at Valatie, which was opened last year.

(e) *Educational work and mental examination.* The brevity of sentences of misdemeanants and the distracting circumstances under which school work would have to be conducted, are obstacles in the way of formal educational work. But such examples as that of the Baltimore City Jail, where a school has been operated successfully for several years can not be ignored in the modern plan of treatment of the petty offender. Both school work and classification within the institution should be based on thorough mental examination of every prisoner. The work of the Juvenile Psychopathic Institute of Chicago and the establishment of the Research Department of the Chicago House of Correction point the way to the establishment generally of such bureaus as part of the public equipment for the treatment of misdemeanants.

II. Methods involving supervision under conditional liberation.

(a) *Adult probation.* Adult probation laws have been adopted in twenty-three States. The experience of these probation authorities has furnished some of our most illuminating information on the character and problems of prisoners in local jails, and their activities have brought about some of our best remedial legislation. In Cook County, Illinois (which includes Chicago), during the first three years' operation of the adult probation law the earnings of probationers amounted to over \$1,000,000.⁷ It has been calculated that adult probation in Massachusetts pays a profit of 94 per cent.⁸

(b) *Parole.* Supervision on the basis of conditional release from penal institutions, a method that has met with undeniable success in case of felons in many States,⁹ has lately begun to be adopted in respect to misdemeanants. In six years nearly 12,000 prisoners have been paroled with good success from the Kansas City workhouse and municipal farm, and this plan has recently

been adopted at the St. Louis workhouse. A successful instance appears in Onondaga County, New York.¹⁰ This method, therefore, appears to be an important part of the modern system of treatment of petty criminals.

(c) *Out-work for local prisoners.* It is quite common for local prisoners to be used on road work. The Wisconsin legislature of 1913 passed a law requiring that the sheriff should hire out the prisoners in the county jail and that he should supervise their employment, turning over their earnings, to the extent of \$1.00 a day, to their dependents, in case there are any. Though the law has not met with universal success, it is in operation in twenty-one counties and the results seem to be commendable. One county reports turning over more than \$6,000 to the dependents of prisoners.¹¹ There is an earlier instance of the adoption of this same principle, without special legal authorization, at Montpelier, Vermont.¹²

(d) *Employment of prisoners without guards, an aspect of the so-called honor system.* Although there has not been the opportunity to build upon the trustworthiness of prisoners in case of misdemeanants that there has been in case of felons, occasions for it seem to increase with the employment of prisoners in larger numbers, as on municipal or state farms.

(e) *Restitution.* An outstanding evil of the present system of criminal procedure is the fact that the punishment of the offender does not include reparation to the injured party for the wrong done him. The possibility of reform in this respect seems reasonable.¹³ But the same end is being attained informally through the operation of the adult probation laws. In Massachusetts the collection of restitution money aggregating \$10,000 annually is reported,¹⁴ and in Cook County, Illinois, alone, more than \$8,000.¹⁵

(f) *Change in system for commitment for fines.* One of the most abhorrent features persisting in our system of treatment of petty criminals is that of imprisonment in lieu of payment of fines. In the study at Springfield, Illinois, it was found that 29 per cent. of those fined actually paid the penalty with prison service.¹⁶ Unless graded according to the ability of the offender to pay, fining is a poor means of attaining justice; and in case of certain classes, like prostitutes, it serves merely as a licensing system. The Inter-

national Prison Congress has advocated that fines be made payable in instalments or on public work.¹⁷ An encouraging sign is the collection of \$28,000 annually on fines through the operation of the adult probation law in Massachusetts.¹⁸

III. Rehabilitation of the offender.

(a) *Special treatment for special classes.* With such abundant evidence that the jail is in no way a curative of the evils with which it deals we should not continue to use it as a cure-all for a great variety of ills, for which, for the most part, other institutions and modes of treatment have already been established. In most communities it is still common to find the jail the chief means of handling inebriates, vagrants, cases of wife desertion and non-support, prostitutes, and even the feeble-minded.

(b) *Co-operation with community agencies.* It is only an imaginary line that separates the social problems of dependence, defectiveness and delinquency. The agencies which deal with these three evils should, therefore, be closely interwoven in matters of practical administration. Juvenile courts, playgrounds, homes for discharged prisoners, associated charities, societies for the reformation of drunkards, boards of health, and a great number of other agencies are likely to be as definitely focused on the problem of crime as any penal institution the State may establish. It is stimulating to find this testimony on the part of the English Prison Commission:¹⁹ “. . . we have of recent years striven to establish the principle of close co-operation between the prison authority and voluntary workers—lay and religious—in all parts of the country.”

(c) *Case work.* One of the greatest contributions made to the science of social betterment is the method of case work developed in the charity organization societies. Whatever be the nature of the maladjustment through which the offender is finally committed to prison, the prime need is for some agency to undertake to see through to the end the process of his rehabilitation. Whether as leader or as co-operator, the penal institution ought definitely to take part in this process.

IV. Improvement in the process preliminary to conviction.

(a) *Psychopathic study.* Recent studies of the feeble-minded delinquent, the establishment of bureaus of psychopathic research

in connection with courts and penal institutions, with such results as the production of Dr. William Healy's epoch-making work, *The Individual Delinquent*, may be regarded as heralds of the ultimate establishment of the principle of psychopathic study as a basis of judgment and treatment of criminals.

(b) *Reforms in legal procedure and police administration.* The report of the so-called Merriam Crime Commission in Chicago this year depicts in a convincing way the almost hopeless tangle of out-grown legal forms and bad police practices at the basis of the crime that heads up in the local jails. The Springfield Survey revealed the fact that only 34 per cent. of those arrested finally paid penalties.²⁰ The whole program of reform of legal procedure, the reorganization of court systems on the basis of modern principles of administrative efficiency,²¹ as exemplified partially in the Chicago Municipal Court, such sensible arrangement as is common in England for the appearance of a large percentage of petty offenders on summons without the inconvenience and disgrace of incarceration, the matter of police reform which nowadays is so commonly discussed, the maintenance of comprehensive schemes of registration and identification of criminals and other classes, these and similar practical measures are definitely involved in the modern system of treatment of misdemeanants.

V. Supervision.

(a) *State supervision and control.* The principle of state control of the treatment of misdemeanants is clear, for crimes committed against the State. Our acceptance of this principle is demonstrated by the fact that offenders against our federal government have always been United States prisoners. As was impressed on us so forcefully at the Washington meeting of the International Prison Congress, our best prospect lies in the direction of improvement of state supervision and extension of direct state control of local jails. A permanent policy of this kind would facilitate in many ways the adoption and operation of principles enumerated in this report, would establish confidence and respect on the part of the people in the effectiveness of penal administration and increase the respect of would-be criminals for the law, and probably would result in huge financial saving. Since the taking-over of the local prisons by the state in Great Britain in 1878 both crime

and criminality have steadily decreased. For example, the ratio of convictions and commitments to all classes of prisons was in 1913, 369.5 per 100,000 population, in 1899-1900, 483.4.²² They have gone on the principle laid down by the Gladstone committee, that the supply of criminals could be cut off only at its source.²³

(b) *Statistics.* The meagerness and useless quality of statistics of misdemeanants in America is notorious. In contrast, one reviews with admiration the comprehensive and telling figures of the English Prison Commission and of authorities in other countries.

In considering its effects on the local jail problem, the system which has been suggested should be taken as a whole, for there is not time to describe adequately all the ways in which our treatment of the petty offender is being made over. The principle of punishment is not eliminated from the new system, but rather is it made more effective. The tendency is, on the one hand, toward continual supervision of the criminally-inclined under the circumstances of ordinary life, and treatment of certain types by specialized institutions and agencies; and, on the other hand, toward a reorganization of the plan of penal treatment for those who must be incarcerated. The local jail is left virtually a place of detention only, and that elusive ideal of our penology, separate confinement for the unconvicted prisoner, is brought a step nearer.

It can scarcely be argued that this outline is over-theoretical, for copious reference has been made to facts and actual practices. But it may be said that the program is too general and differentiated, that only one or two simple reforms should be advocated. It may be answered that the accepted modern programs for the improvement of the work of the church, of the school, and of many other institutions are exceedingly complex, and concerned largely with what goes on outside of the institution itself. The essential evils of the old-time jail have been its crude composite character and its lack of correlation with other agencies of social betterment.

Or, it may be asked, is not the new system more attractive to the petty criminal? To this the reply may be given that effective measures—relentless follow-up work—is most objectionable to him.

The present haphazard arrangement comes much nearer being his ideal. The history of prison reform in England is an illuminating answer to this argument.

More tenable grounds of opposition are set forth in the following quotation:²⁴ "The greatest obstacles in the way of substitution of the new system for the old are public indifference and the enormous investments which have been made in the old style prisons." The cost of one of the leading features of the new scheme, the state farm, may be calculated on the following basis: the District of Columbia farm cost \$190,000 and maintains a prison population of 1,500 per day—about five-sixths of the local jail population of one of the larger States.²⁵ The initial appropriation for the Indiana State Farm is \$90,000, plus \$200 per annum for each prisoner. The secretary of the Pennsylvania Prison Society calculates that the present net cost of about \$1,000,000 yearly for the maintenance of county jails in that State could be reduced one-half through the establishment of state farms.²⁶ It must be remembered that the old-style jails are rapidly being replaced by new ones, and that consequently the adoption of the state farm system cannot be regarded as a cancellation of the value of all existing jails. As to the cost of other features mentioned in this report, most of them have already been put in operation, and it may be relied upon that none of them has been adopted without conviction of the soundness of the innovation from the financial standpoint.

The deepest-seated opposition arises from the fact that our fortress-like old jails merely signify a persistence in the minds of the people of ideals of generations long dead. Some of these structures are inscribed with such dates as 1836—the days of Andrew Jackson, of the invention of the steamboat, and of the pioneer struggle. The vicious fee system, and all that goes with it, is based on a structure of popular ideals dating back a generation or more. It is this which our advisers in the construction of this report have in mind when they have emphasized public indifference and the need of wide-spread popular education.

Many questions of policy relating to local jails are yet to be worked out; differences in the requirements of the various types

of institutions included in the title of this committee, the establishment of standards of administration for lockups and police stations, perhaps an adjustment of the state farm idea to the requirements of large urban populations, etc.

A striking counterpart for the program advocated in this report is to be found in the history of the so-called socialization of the public schools. Vocational education, organized recreation, the general relating of the school to the life of the community—the philosophy of Dewey and the practical inventions of Wirt—these correspond to the work of probation, psychopathic study, concentration in state institutions, and coöperation with community agencies. Jails have been called “schools of crime”. The new regime in the treatment of the misdemeanant means the socialization of the “school of crime”.

Signed by the full Committee.

EXPLANATORY NOTES.

¹ There is an interesting counterpart in the minority report of the English Poor Law Commission in 1909 wherein the chief complaints made are with regard to (1) the repetition, uncorrected, of evils pointed out fifty years previously, (2) the continuation of the workhouse as a mixed institution, (3) the “mixed official” as superintendent, requiring great variety of specialized ability, and (4) the need of freeing the institution management from duties requiring individual case work.

² Rep. of the Comrs. of Prisons and the Directors of Convict Prisons of Eng. and Wales 1908-9, p. 24.

³ V Int. Pris. Congress, Sec. II, Ques. 4; VIII Congress, Sec. III, Ques. 3.

⁴ *The Payment of Wages to Workhouse Prisoners*. K. L. Schreiber, Nat. Conf. Char. and Cor., Proc. 1915.

⁵ U. S. Census Bul. 121, Table 9.

⁶ *The Correctional System of Springfield, Illinois*. Zenas L. Potter, p. 47.

⁷ Third An. Rep. Adult Probation Office of Cook Co., Ill., p. 3.

⁸ *The Cost of Crime*. Warren F. Spalding, Am. Jour. Criminal Law and Criminology, v. 1, p. 94.

⁹ See B. W. Brown in Am. Jour. Cr. Law and Cr., v. 6, p. 65.

¹⁰ Sixth An. Rep. N. Y. State Probation Comm., p. 35.

¹¹ *The Paroling of Prisoners Sentenced to County Jails*. J. L. Gillin, Mss.

¹² N. Y. Pris. Assn., 1911 Rep., p. 152.

¹²See address by Hon. S. E. Baldwin, Rep. U. S. Comr. Int. Pris. Comm., 1899.

¹³Mass. Pris. Assn. pamphlet 44, p. 9.

¹⁴Third Ann. Rep. Adult Probation Office of Cook Co., Ill., p. 3.

¹⁵Potter, op. cit., p. 22; see *The County Prisons of Pennsylvania*, A. H. Votaw, for study of fining in Pa.

¹⁷Int. Pris. Congress, 1905, Sec. vi.

¹⁸Mass. Pris. Assn., pamphlet 44, p. 16.

¹⁹Eng. Pris. Comm., op. cit., 1913-14, Pt. I, p. 11.

²⁰Potter, op. cit., p. 20.

²¹See article by Herbert Harley in Bul. Amer. Judicature Society, No. 4 and address before La. State Bar Assn. 1915.

²²Eng. Pris. Comm., op. cit., 1913-14, Pt. I, p. 6.

²³*Crime and Criminals*, R. F. Quinton, p. 216.

²⁴Mass. Pris. Assn., pamphlet 44, p. 15.

²⁵*The Jail*, repr., from 1913 rep. Va. State Board of Char. and Cor., p. 6.

²⁶Votaw, op. cit., p. 22.

DISCUSSION.

J. O. Stutsman, Superintendent Municipal Farm, Kansas City, Missouri: The concise and comprehensive report to which we have listened is an unanswerable argument for the general substitution of correctional farms for jails. Your Committee on Jails, Lockups and Police Stations has for several years condemned the jail as a place unfit for sentenced prisoners. They have repeatedly called our attention to the injustice of the fee system, enforced idleness, promiscuous commingling of classes, unsanitary conditions, improper food and the lack of scientific correctional measures in these minor institutions. Their only value is for the detention of the accused while awaiting trial. For other purposes they are injurious rather than beneficial.

Fortunately, at this time, there is a great wave of sentiment sweeping through the land in favor of correctional farms. Accompanying this advance movement many other welfare measures are being introduced and proven successful which promise rehabilitation of methods in the treatment of petty offenders. Among these are the following:

The primary demand is for fresh air, sunshine and sanitary surroundings. The physical condition of the dissipated prisoner

is regarded of greatest importance, and, if sick, he should be treated in a modern hospital under care of a trained physician and nurse. A cure for the drug habit and liquor habit is administered, having for its basis the building up of physical strength and nervous resistance. Good, wholesome food should be prescribed by a well qualified dietician.

There is provision for constructive and productive labor which should include the division of profits with the prisoner. There should be systematic physical training as well as recreational advantages such as entertainments, musicales, motion pictures, baseball, tennis and other games. Thorough discipline is administered by grading and rewarding for good behavior and attainment. Manual training classes and schools of letters must be employed to give the younger men a stimulus for future usefulness. Educational work should be organized about a well equipped library. A laboratory of physical research is as essential to the proper segregation and handling of short term prisoners as for those who have longer sentences and who happen to be sent to a reformatory. Religious and ethical training is essential to the reformation of this class of men. A careful parole system is a valuable accessory, notwithstanding the fact the time of the parole be brief.

These principles are now becoming generally recognized, and there is increasing inquiry from municipalities all over our land for the best information concerning the operation and influence of correctional farms. Cities and States are seeking a scientific substitute for the old-time criminal neglect of this class of prisoners. I believe this conference should take steps at this early period in the development of this new kind of institution, to standardize correctional farms so that the ideal will, from the very beginning, be a high grade of efficiency. This could be done by the employment of a secretary or representative for the instruction of communities desiring such information, also by publishing literature describing the best methods employed by the most successful institutions of this character now in operation.

John F. Tremain, Secretary State Prison Commission of New York, Albany: New York State in endeavoring to provide for the better care of the misdemeanant, recently established a State Farm

for Women, referred to in the splendid report of Mr. Cross. This institution is designed to care for women of thirty years or more who have been convicted as misdemeanants at least five times within the two years preceding sentence. The plans as approved by the State Commission of Prisons contemplate the construction of twenty-one cottages, administration building, hospital, school, assembly hall, etc. Although but two cottages, each intended to accommodate from twenty-five to thirty women, have been completed, the institution was opened October 1, 1914. The site at Valatie, not far from Albany, comprises about 300 acres and much of the farm work is done by the inmates. It is the aim of its promoters, that by means of outdoor work, healthful surroundings and sympathetic encouragement, some of the women who are known as "rounders" and "repeaters" and who are now being committed to workhouses, penitentiaries and jails, may be returned to a life of sobriety and industry.

Although there are two state reformatories and a training school to which youthful female offenders may be committed for misdemeanors, the State has no place to which male misdemeanants between the ages of 16 and 21 may be given reformatory training. The city of New York has a reformatory for such boys, but the State has none, as the reformatories at Elmira and Napanoch receive only felons. As a result, hundreds of young male offenders are being sent annually to county penitentiaries and jails.

The State Commission of Prisons for years has advocated the establishment of a state reformatory for male misdemeanants and in 1912 the Legislature passed a bill providing for such an institution and appropriated \$50,000 for the purchase of a site and such preliminary work as could be done with this amount; but I regret to say the site has not yet been secured. The need for such an institution is apparent and the project should be pushed to completion.

Westchester County is about to build a new penitentiary on modern lines on a farm site, and Erie County is developing a farm project for the employment of its penitentiary prisoners and has introduced highway work for the first time this year. The inmates of the Onondaga County Penitentiary have been building

roads for several years. There are five penitentiaries in the State, four of which are county institutions and one is conducted by the city of New York. Their population is made up largely of misdemeanants.

Progress is being made in improving conditions in the county jails both in management and construction. Several new jails have been completed in recent years and Erie County is remodeling its jail on the "outside cell" plan, the first of that type of construction in the State. Farm and highway work is being urged by the commission as a means of employment for prisoners serving sentences and progress in this respect is reported.

But perhaps the most gratifying results are being attained in improving conditions in the city jails and town and village lockups, places of detention too often neglected by local authorities. The commission last year succeeded in having enacted a statute authorizing it to close inadequate and insanitary jails and lockups in cities, towns and villages, after giving the authorities an opportunity to be heard. The result has been that several new jails and lockups have been erected, many remodeled and others improved. Local authorities in some of the smaller places have abandoned their lockups and several have been closed by the commission.

Compared with other States I believe New York State is in the forefront of progress in the care of its misdemeanants all along the line.

President Byers: There is a young man who has been about the convention hall for several days and who has been keeping himself in the background. I believe the people of this association would like to hear from Mr. Queen, Secretary of the California State Board of Charities and Correction.

Stuart A. Queen, Secretary California State Board of Charities and Correction, San Francisco: In the few minutes which the president has allotted to me I shall present a few bits of the evidence we are collecting and by which we hope to persuade the people and Legislature of California that the problem of caring for misdemeanants is primarily a state problem. Most of the state-

ments which follow are based on a statistical study of prisoners held in our county jails during the calendar year 1914. To date the number studied is a little over 20,000.

The first significant fact is that one-third of these men were in the county only a week or even less before their arrest and that nearly one-half had not been in the county where they were apprehended more than one month. Over against this fact is our discovery that three-fourths of these men had been in California for more than a year, and 55 per cent. had been in the State over five years. These figures show rather strikingly that the men imprisoned in our county jails belong for the most part to the State but are not residents of any particular county.

This is tacitly and sometimes avowedly admitted by courts and peace officers in their widespread use of the floater custom. Considerably over one-half of the men booked on misdemeanor charges were not convicted at all. For the offense of vagrancy only 30 per cent. received jail sentences, and in four San Joaquin Valley counties only 5 per cent. of the men charged with vagrancy were convicted at all. In round numbers these counties "floated" 2,200 out of 2,300 men. They were taken to court and dismissed on the condition of leaving town in a few hours or put on probation or given a suspended sentence under the same condition. The reasons are that the jails are full, the men are known to be nonresidents and the cry of the taxpayers for economy is answered by officials who are penny wise and pound foolish.

A third bit of evidence that the care of misdemeanants should be taken over by the State is the lack of uniformity in treatment by the various counties. The percentage of convictions of men received in county jails on misdemeanor charges varied from 78 per cent. in Sacramento to 5 per cent. in Stanislaus. The average jail sentence varied from 15 days in Marin County to 80 days in Sacramento and Shasta. The modal sentence was 10 days in seven important counties and 30 days in twelve counties. The minimum mode was five days in Marin. The maximum mode was 150 days in Glenn. The actual range of sentences for a single offense, vagrancy, was from five days to six months.

Not only are a great many petty offenders "floated", but those

convicted receive for the most part a jail sentence too short to be of any real value to themselves or to society. Out of 5,800 county jail sentences we find that one-fourth were for ten days or less, and two-thirds were for thirty days or less. The boast of many vagrants that they have been in most of the jails of the State indicates the result of this policy.

In yet another way is our county jail system failing to correct. Only eight of our county jails provide anything like regular work. In only three counties do most of the men serving sentence have employment. In all the rest the policy is one of repression, without any effort actively to direct impulses into proper channels. As a matter of fact, the majority of our counties are not in a position to employ their prisoners economically, and we are compelled to look to the State for a solution of this difficulty.

It is hardly necessary to discuss the physical conditions in our California jails. As in other States, there are some very good jails—as jails go—and some very bad ones. The jails of San Francisco, San Joaquin, and Santa Clara counties detain each year over 5,000 men in quarters quite unfit for human habitation. One-third of our county jails are overcrowded at some time during the year. Only one-sixth segregate prisoners in accordance with minimum legal requirements; one-half are dark and poorly ventilated; one-third have inadequate bathing facilities.

A most serious indictment of the county jails is the lack of discipline. Idleness, combined with a crude congregate system of handling prisoners, is quite incompatible with discipline. The practice of sodomy and the abuses of the "Kangaroo Court" aid in making the county jails wonderful "schools of crime".

The evidence we are collecting should convince any thinking person that some change is necessary. The things for which we hope are these: Two penal farms for misdemeanants, a similar institution for inebriates and drug fiends, indeterminate sentence for misdemeanants, and state control of local jails. These were all asked of the 1915 legislature, but none of the bills were passed. We are going to the 1917 legislature with the belief that some of our hopes will be realized.

President Byers: There is another very modest man. He comes from Philadelphia. Mr. Votaw, we want to hear from you on the jail problem. Mr. Votaw is secretary of the oldest prison society in the United States, the Pennsylvania Prison Society.

Albert H. Votaw, Secretary, The Pennsylvania Prison Society, Philadelphia: The paper of Mr. Cross to which we have listened presents an admirable and comprehensive summary of the conditions which obtain in America in the administration of our county jails, station houses, etc. As was suggested, the remedy lies in greater centralization. In no other way may we secure some uniformity in their management and make of them reformatory agencies. Realizing the need of centralization, a commission, authorized two years ago by the legislature of Pennsylvania, after having carefully investigated conditions, proposed to the assembly in this year of 1915 that an act should be passed providing for the establishment of six industrial farms throughout the State to which misdemeanants should be sent. The prisoners could produce much of their maintenance on these farms, and would have the advantage of a life in the open air. Of course each farm would have other industries besides the purely agricultural occupations. According to the latest census of our prison population in Pennsylvania, these six industrial farms would each have an average of eight hundred inmates.

Some years ago, nearly all the prisons in England were placed under the administration of the Home Secretary in London. In a short time the statistics showed a decrease in numbers and consequently of criminal depredations. This decrease was attributed in great part to a more systematic treatment of the criminals.

Confirmed inebriates are segregated and sent to institutions where they may have employment and special treatment. Young criminals are not retained in the same prisons with old offenders. Women are sent to reformatories under the care of women. Care is taken that all may have employment in some line of work to which they are individually adapted. Defectives are put under the care of experts. Not to mention other advantages over our present system, the general result tends to the restoration of the fallen and the inculcation of habits of industry. Reports also show

that the expenses have lessened very materially under this centralized system. In the Commonwealth of Pennsylvania, the annual cost of maintaining the county jails is about one million dollars. Under a central management this amount would at once be greatly diminished and in time we hope the industrial farms will be self-supporting.

The principal source of objections come from the county officials. Some counties still continue the ancient fee system so liable to misuse. One of our counties pays the sheriff thirty cents per day for each prisoner under his charge. The menu is bread and coffee for twenty-one meals weekly, enlivened thrice with soup. With an average of eighty prisoners per day, the sheriff is able to reap a handsome profit from the boarding fees. While this is an extreme case, not duplicated elsewhere in the State, there are still many county officials who strenuously oppose any curtailment of positions which might be brought about by a lodgement of authority in a central commission at the state capital.

Hence, the proposition to establish the industrial farms in our State has not yet received the endorsement of the legislative body. We have succeeded in the introduction of the so-called state-use system, so that convicts in all prisons of the State may hereafter be employed in the manufacture of articles to be used by all public institutions. The use of power machinery for such purposes was also sanctioned. Only thirty per cent. of our convicts may be employed in making wares to be sold in the open market, but for uses of the State, counties or boroughs, all may be employed. Also, convicts may be allowed to work on the roads or on the streets. We confidently believe the passage of these laws is in the direct line of progress, and will pave the way for a state central commission under whose wise suggestions it will soon be deemed advisable to establish industrial homes for misdemeanants.

Mr. Byers: There is a still more modest man. Most of the time he has sat just outside the door, but listening, listening, taking in what was being said. Mr. Shideler, we would like to hear from you.

George A. H. Shideler, president of the board of trustees of the Indiana State Farm: Indiana has established a State Farm

for misdemeanants, with the confidence that she will make it a success. Under the law we were given the right to purchase a farm of not less than 500 acres and to cost not to exceed \$60,000. The commission, of which I was a member, bought 1,583 acres for \$58,535. On the land are deposits of stone for building material, ballast, macadam, concrete, lime, cement and clay for brick and tile. We hope to have a stone quarry and furnish the different counties with stone for roads, at cost. We believe it is better for the prisoners to have good air and an opportunity to work and we believe it is better for the taxpayers that the prisoner should pay his way while serving his sentence. We believe that within five years we will establish the fact that this farm will be self-sustaining. We expect to have from 1,000 to 1,200 men.

Last November twenty-four prisoners from the State Prison and twelve men from the Indiana Reformatory were brought to the farm and put in tents and we proceeded to build right over ourselves. When I left home we had 607 men housed. The men from the prison are used as foremen over the different gangs. The farm is nearly two and one-half miles in length. It is not an uncommon sight to see fifty men, under a State Prison foreman, two miles from headquarters, with no other guard whatever than the foreman.

We have eleven officers, including the deputy, for the 607 men, night and day. We have our problems; we make our mistakes. I think I may say, without fear of successful contradiction, that in much of the work of our institution we have had the help of the best brain solving these difficulties in the personality of Amos W. Butler; always energetic, amazingly encouraging. So encouraging is he that he has all of us members of the board devoting ourselves to this work without money and without price. We are paid no salary. We simply feel it is part of our duty to our State.

We invite you to come to Indiana at any time, but if you wait five years we will show you a farm where the men will be serving their sentences, perhaps not contentedly, but with the energy to go forth having learned how to control themselves better by having been taught how to work systematically while serving their sentences.

THURSDAY NIGHT SESSION.**Auditorium Oakland Hotel, 8:15 o'Clock.**

The Thursday night session of the American Prison Association was called to order at 8:15 o'clock by President Byers.

The Committee on Time and Place presented the following report:

"The Committee on Time and Place received invitations for the next meeting from the following cities: Buffalo, New Orleans, New York, St. Louis, Boston, Philadelphia. Buffalo was chosen as the next place of meeting and the time left to the Executive Committee."

The report was unanimously adopted.

President Byers: I wish to announce the Committee on Identification as provided for in the resolution adopted by the association yesterday:

W. H. Whittaker, Superintendent District of Columbia Reformatory and Workhouse, Occoquan, Virginia, Chairman.

Frank L. Randall, Chairman Massachusetts Prison Commissioners, Boston, Mass.

Arthur Pratt, Warden State Prison, Salt Lake City, Utah.

Dr. D. C. Peyton, Superintendent Indiana Reformatory, Jeffersonville, Indiana.

George L. Sehon, Superintendent Kentucky Children's Home Society, Louisville, Ky.

John F. Leonard, Warden Maryland Penitentiary, Baltimore, Maryland.

The Committee on Organization presented its report, which will be found in full on page 403.

President Byers: The report of the Committee on Probation and Parole, of which Dr. Katherine B. Davis, Commissioner of Correction of New York City, is chairman, will now be read by Mr. Burdette G. Lewis, Deputy Commissioner of Correction of New York City.

REPORT OF COMMITTEE ON PROBATION AND PAROLE.

KATHERINE BEMENT DAVIS, CHAIRMAN, COMMISSIONER OF CORRECTIONS, NEW YORK.

Last year at the St. Paul meeting of the American Prison Association, the Committee on Probation and Parole presented a report based on the answers to a questionnaire widely distributed and covering the principal points involved in systems of probation and parole, with suggestions as to the weak spots and proposed remedies therefor, for methods of selection of probationary and parole officers, for after-care of discharged prisoners, and related topics. It has seemed to your committee that, in view of the detailed character of the information sought and reported upon last year, it might be fruitful this year if a different method of presentation were adopted and a discussion were had on the organic relationship, on the one hand, of the courts to the probation system, and, on the other hand, the relationship between parole and the institutions to which prisoners are sentenced.

I.

THE COURTS AND PROBATION.

The Clearing House Plan.

The value of the genuinely indeterminate sentence has been generally recognized throughout the United States by the foremost students in penology. A genuinely indeterminate sentence has as its logical outcome the custodial care of all prisoners whom it is not possible to train to good citizenship. Wherever even a partly indeterminate sentence has been adopted, the very serious responsibility placed upon the court is universally recognized. It will be generally found that in communities where laws have been passed making even a partly indeterminate sentence possible, there has been also a growth in the general recognition of the value of probation. It is a truism to say that successful probation depends upon two things: (1) On the ability to employ in any given locality an adequate number of probation officers, and (2) a proper method of choosing the persons to be placed on probation. As to the number

of probation officers necessary, no general principle can be laid down. It depends on location, financial possibilities of the same, numbers to be placed on probation, and the like. As to the choice of persons to be placed on probation, there is much to be said. As a rule, the judges who use this method must depend almost exclusively on the probation officers for the investigation which is to govern their choice. This is not altogether true of the juvenile courts, but very little headway has been made in the country as a whole in securing such a careful study of the adult offender as is made, for example, in the Juvenile Court of Chicago. There is pretty general agreement that probation is proper under the right conditions for first offenders, for accidental offenders, for young offenders, but many of us believe that the judges should know more than this.

In all of our cities where a careful fingerprint system has been installed, it is not difficult to determine who is a first offender so far as the particular city is concerned, but in New York it has not infrequently been the experience to find after sentence that even youthful offenders have had criminal experience in other cities or States. Therefore, it is not entirely safe to depend alone upon local records. Too frequently twenty-four hours only are allowed for the investigation of a probation officer. In special cases two or three days may be allowed, but with the number of probation officers at the command of most of our judges even this length of time is not sufficient to determine many points which have their bearing on the success of probation. As a general proposition, no offender should be placed on probation who

First: Is not in sufficiently good physical condition to enable him to earn his livelihood, unless the court is assured that he has friends or relatives financially capable of caring for him.

Second: Who is not industrially capable of earning his own support, and, if he is himself the support of a dependent family, of earning their support as well.

Third: He should not only be capable of earning his own support, but it should be certain that he can find work for himself or have it found for him; otherwise a relapse is certain.

Fourth: It is generally customary in the case of women placed on probation to see that not only work but a suitable home is provided for them. This should also be done in the case of men.

Fifth: No person should be placed on probation who is unfit by reason of feeble-mindedness or psychopathic defects to control his own actions. In many instances even somewhat careful examination, if made by persons not scientifically trained, cannot detect these traits. It has been our experience that in a large percentage of failures on probation the trouble has been that the probationer was decidedly below par and was actually in need of custodial care.

To make sure on all of these points is the work of not one, two, or three days, but of one, two, or three weeks, and in extreme cases of even more. Investigations should cover the social, economic and moral status of the candidate for probation. It is our belief that this can only be properly done when we extend the clearing house plan, which has been successfully used for the past five years in connection with the Juvenile Court of Chicago, to cover the cases of adult delinquents. Recognizing the desirability of such a plan several years ago, the Bureau of Social Hygiene of New York City made it possible to begin an experiment along these lines. Recognizing the size of the problem in a city and State the size of New York, where in the city alone last year eighty thousand (80,000) persons passed through the penal institutions, it was decided to limit the experiment to the women committed to the State Reformatory for Women at Bedford Hills. The plan there has been to work out a methodology along social, psychological, and physical lines. The work has been progressing quietly for nearly three years, and it is believed that already a methodology has been worked out which is in advance of public provision for carrying its recommendations into effect. The Laboratory of Social Hygiene is supported at present by private funds and is only affiliated with the state institution. In making its recommendations at the present time, it proceeds on a two-fold assumption: (1) A recommendation is made in accordance with its findings as to what should be done had the State legal provision for carrying into effect a complete system of caring for its defectives and delinquents; (2) a recommendation of what can be done under existing conditions.

With a complete correlation of the activities of courts, probation officers and institutions, the Clearing House would determine:

First: What individuals could safely be placed upon probation.

Second: What cases should have permanent custodial care on account of incurable mental defects.

Third: To which of the various state institutions a given case should be sentenced under the existing state laws.

Such a method is in principle approved by many of our most progressive judges. Far from objecting to a curtailment of their powers, they would welcome a method which would give them a basis for a decision entirely apart from the merely legal aspects of the case. More than this, some judges would in many instances welcome a further differentiation of functions which would give the court solely the duty of determining the innocence or guilt of a person brought before it and would sentence simply to a board which would direct the activities of a clearing house as above outlined. In the event of the establishment of such a clearing house, persons placed on probation would be those who would have a fair chance of making good in the world without the stigma to the individual of the prison sentence or the expense to the taxpayer of his support in a penal institution. The members of the staff of a clearing house being but human, mistakes would be made but these would be reduced to a minimum, and in the event of a given person's being found unfit for probation, he should be returned to the clearing house for further study.

In general detail, no plan can be put forward at the present time for such a clearing house system as would be acceptable to all our varied communities, but that the principle involved is sound and will be generally recognized and worked out along specific lines in various places, there can be little doubt. The general recognition of its applicability to juvenile offenders makes a practical certainty of its development in connection with our children's courts, and with modifications the tendency is toward the adoption of methods which proved successful with juveniles in caring for adult offenders.

II.

INSTITUTIONS AND PAROLE.

Both institutional care and parole are methods adopted to train the individual who has been anti-social so that he may take his place as a law-abiding and self-supporting citizen. It has been well said that the parole period is the critical time in the development of the criminal into a social being. In our judgment the connection between institutional life and the succeeding period of parole is organic. The social being is obviously one who can adapt himself to the group in which he lives. Criminal acts are anti-social acts. To change the anti-social being into a social being, we must develop his sense of responsibility toward his neighbors and his powers of self-direction and self-control. The criminal having been convicted and the court having determined that the man's liberty is the forfeit, it is the business of the institution to train him for his readjustment to society. The parole is the period in which the test of this training is made before the man is finally placed on his own resources.

There has been throughout the United States a general trend toward the adoption of parole laws, not only in our reformatories but in our state prisons. Nowhere has a truly indeterminate sentence been adopted and the liberality of the parole laws varies in the different States. It has been extended from our reformatories to our state prisons and state penitentiaries (state penitentiaries being the corresponding term for state prisons in some localities). We believe New York City is the first city to have an indeterminate sentence and parole law passed affecting a county penitentiary and a workhouse. It seems to us that with the nearly universal adoption of the parole idea, it behooves us to consider carefully whether the institution life has such a general trend as will prepare the man for his self-direction and self-control. It is not only desirable that the institution teach the prisoner how to work, but it must teach him how to control himself. In granting the parole we have at least five points to consider:

First: The physical condition of the prisoner in its relation to his ability to re-establish himself in a community.

Second: His ability as a wage-earner.

Third: His past career as affecting his likelihood of making good.

Fourth: His ability to satisfactorily place him outside the institution.

Fifth: His conduct in the institution.

In the educational world today we find educators somewhat divided as to the fundamental principles which are at the bottom of the methods adopted. There is a close analogy, it seems to us, between the situation in the educational world and the situation in our penal institutions. The advocate of each method, both of education and prison management, is sincere in his belief. The sole question at issue is which method will accomplish the results, and, as in the educational world so in the penal institution, the result is the best adjustment of the individual to society.

In the educational world we have at the one extreme those persons who believe in developing the child along the lines of his own instinctive desires as expressed through his own activities; the adult, the parent, the teacher, is to follow along the lines indicated by the child and is not to impose his preconceived theories or his notions as to what is best upon the unfolding life. The development is to come from within and the parent or teacher is to only assist in the unfolding of the inherent faculties of mind. At the present moment the Montessori system is a good exponent of this method. At the other extreme, we have the educational system which is the result of a careful study on the part of the teacher of what he believes to be best for the child. At every turn, the child is directed by those whose greater age and experience of the world have decided what is best for it. Little attention is paid to his own wishes, his initiative is curtailed, his imagination stifled—and yet there are still those who advocate this extreme. In between we have two other groups. First, a group who, while believing that the child's instincts should be given free play and that his own capacity should be developed rather than forced, yet believe that these unfolding traits of mind and spirit should be guided by the wisdom gained from life. They would grant the truth that the extreme radicals hold but would add a little borrowed from

the group at the other extreme. They are the radicals with a touch of conservatism. The fourth group are the conservatives with a touch of radicalism. They would not go so far as to refuse to recognize altogether the initiative of the child or his unfolding instincts, but they are inclined to say that in most respects the wisdom of the elders and the imposition of authority are for his best good.

In prison management and in prison discipline we find today these four groups. One end of the scale is probably best exemplified by the ideas advanced by Warden Osborne of Sing Sing, which have attracted much attention. Mr. Osborne believes that the men in his charge will be best fitted for freedom by giving them the largest practicable measure of control over the prison activities which do not have to do directly with the outside world. Accordingly, at Sing Sing today we find a very complete organization of the prisoners, by the prisoners, and for the prisoners, inspired and infused, of course, by the spirit of Mr. Osborne. The prisoners are in almost complete control of the discipline. They have their representative body based on the shop as the political unit, each thirty-five men being given one representative in the council. At present this council chooses nine members as an executive committee which can divide itself up for special purposes—really a commission form of government. Very large privileges are given the prisoners as to correspondence; purchase of clothing; freedom to see visitors, a committee of prisoners receiving and showing through the institution such of the general public as visit there; freedom in the way of recreation, amusements, etc. It is further contemplated to introduce a system of token money in which payment for all work performed shall be made, and out of which in turn the prisoner shall pay for food, clothing, postage, and whatever he has. Any surplus to his credit on leaving the institution is to be redeemed by lawful money. Mr. Osborne believes that it is only through practicing the general principles of democracy, of self-government, and self-direction that the men can so develop their powers of self-control as to make it probable that they can return to society as social individuals. Mr. Osborne does not personally believe in classification within the institution on a basis of character and conduct, holding that in the world good and bad

alike meet, and that the mixture of good is a restraining and educating influence over the bad; that men must learn to resist temptation. In short, that so far as his personal relations to the community in which he lives goes, a man in prison should live as normal a life as possible, the only difference being that he is restrained of his freedom. Mr. Osborne believes that the greatest possible success on parole will come through a system such as this because the man has practiced all through his period of incarceration that which he must practice when he leaves the fostering care of the institution. Mr. Osborne is first of all to admit that the system is not perfect; that in many ways it is in the experimental stage. He claims for it, however, the fundamental basis which is claimed by those who believe in the free development of the child nature.

It is needless to say that at the opposite end of the scale we have what up to comparatively recent times has been held to be the proper penal method—that of extreme repression, of rules framed entirely by the officials in accordance with what seems to them good; this good, of course, being the good of the prisoners themselves. This method presupposes strict rules of discipline, and while it presupposes sanitary surroundings and humane treatment, there is little in it that is calculated to develop self-control or self-direction. Probably a considerable proportion of the prisons of the United States are governed by this method, and not a few of our citizens still believe that it is the proper way to protect society by deterring the commitment of crime on the one hand, and by punishing those who have broken the law on the other. The difficulty of this system comes in the sharp break between the life of the institution, the constant living under restriction and in accordance with rules, and the sudden freedom on the other hand to follow one's own impulses. It is like removing a straitjacket from a person under confinement therein and who has lost control of his powers of motion. It seems to many thoughtful people that the breakdown of the parole system comes largely as a result of this method of administration.

Between these two methods comes, first, a system in which there is classification and promotion based on effort, self-government being given to the group which has shown that it desires and is

capable of a certain measure of self-control. This is the method that your chairman personally employed at the State Reformatory for Women at Bedford Hills. By those who believe in this method it is held that inasmuch as rather a high percentage of our prisoners are mental defectives, and inasmuch as a large percentage have never learned to do anything but act on impulse, certain training, for the good of the community as well as for the individual, is desirable before self-government is granted, but that this self-government should be granted so far as possible before release, in order that there may be a gradation from the anti-social period which existed previous to imprisonment through a rather firm regime up to the period of considerable freedom followed by parole.

The fourth method corresponding to the fourth educational group is that practiced in many of our best prisons of very high standing—typical among these is Great Meadow in New York, Warden Gilmour's prison in Guelph, Ont., and San Quentin in the State of California. Here a large proportion of the privileges allowed, for example, at Sing Sing are enjoyed by the prisoners. They are allowed to associate with each other under supervision; under supervision they work and play. There is nothing of the harsh or the repressive in their treatment, but the advocates of the self-government method claim that it is too paternalistic and that there is not enough opportunity for exercising self-direction to make a firm foundation for self-direction on parole.

That we are in the experimental stage in prison management we all realize. There is no doubt in our minds that the great proportion of prison officials, at least of those in control, desire to do the best possible thing for their charges. That it is impossible to come to final and absolute decisions as to best methods is obvious. So long as we have great economic and social questions in society at large unsettled, we cannot hope to arrive at a final and conclusive decision on prison problems. Therefore, discussion is the best educator and the value of a meeting like this is that people who care for the same thing from all parts of America meet to discuss these vital questions. It is hoped that in particular the organic relation between institutional methods and the success of parole will be fully discussed at this session.

Signed by the full Committee.

CLOSING EXERCISES.

President Byers asked Secretary Sehon to escort the incoming president, Arthur Pratt, to a seat on the platform.

Amos W. Butler, Chairman of the Committee on Resolutions, presented the report of the committee, as follows:

REPORT OF COMMITTEE ON RESOLUTIONS.

We have come to the end of another very successful congress of this association. This is its second meeting west of the Rocky Mountains. We are met under new conditions and our gathering has been most pleasant and profitable. We should like to name all who have contributed in any degree to that end. We realize in the nature of things that cannot be done. But we do thank them all even though they are not mentioned in this resolution.

Resolved, That our thanks are hereby tendered to the prosperous city of Oakland and especially to his honor, Mayor John L. Davis, for the welcome extended us; to the Chamber of Commerce and Commercial Club for making this meeting possible; to Rev. Dr. Francis J. Van Horne for the excellent conference sermon and to all the ministers who opened their pulpits to our members; to the women of Berkeley, Alameda and Oakland for the delightful reception tendered us and for many other courtesies; to the musicians who have added to the pleasure of our sessions; to W. A. Gates, our faithful friend, for assisting the Secretary; to Warden J. A. Johnston and the Board of Prison Commissioners for the facilities given to visit the prison at San Quentin; to the newspapers and the Associated Press for their reports of this meeting; and to all who have contributed to the comfort and pleasure of our stay in this beautiful city.

Resolved, That the American Prison Association expresses to Mrs. Phoebe A. Hearst its sincere appreciation of her generous hospitality in the delightful reception extended to its members at her home, and manifested in other ways, and extends to her its grateful acknowledgement thereof. That in addition to spreading this resolution upon its

records the secretary be directed to transmit a copy of it to her.

Resolved, That the members of the American Prison Association in session assembled, extend to the management of the Hotel Oakland their appreciation and thanks for the splendid service and uniform courtesy shown them while guests; and be it further

Resolved, That this resolution be spread upon the minutes of the Association and a copy of same furnished the management of this splendid hotel.

AMOS W. BUTLER, Chairman;

ARTHUR PRATT,

CATHERINE M. O'LEARY,

Committee on Resolutions.

Approved and adopted.

President Byers: A few weeks ago it was my pleasure to make a trip to Elmira. I felt as though I was making a pilgrimage. Living in Elmira, at the age of eighty-nine years, Z. R. Brockway, the dean of penology in America, is waiting, as he says, for the end, and waiting for it quietly and bravely. I had hoped his health might have been such that he could come to our meeting or that in the event of his inability to come he might be willing to send us out of the abundance of his wisdom and experience a possible last message on the subject to which he has devoted his life. He thought about it for awhile, then he said it seemed too much like saying "Goodbye", that he had had his say so many years ago and had nothing new to say now. So the paper I had hoped for is not on the program. But I know that during the past five days Mr. Brockway and our other absent members have been thinking about us and hoping that we were having a good and profitable time. Yesterday by direction of the board of directors a telegram of felicitation was sent to Mr. Brockway. I have received this message from him:

Joseph P. Byers, American Prison Association, Oakland, California:

Profoundly appreciating your dispatch of greeting and good wishes, let me respond testifying my warm regards and satisfaction at the continued dignity and influence of the association.

Z. R. BROCKWAY.

Elmira, N. Y., October 14, 1915.

Now I find myself beginning to suffer from suppressed emotion, and that is always bad for me, for the minute I begin to feel that way, that minute I find it difficult to express my feelings.

I have for the past five days participated over what I fondly believe has been the best Prison Congress we have held, so far as the papers and discussions are concerned. We have had a larger attendance than we could have hoped for. I feel profoundly grateful to all of you who have stood by so bravely and borne so patiently until the last session. I feel a profound sense of gratitude to so many of you who have faithfully attended the sessions in spite of the great attraction on the other side of the bay.

I may be permitted to say what may seem a personal word. In my election as president of the American Prison Association I received what was to me the highest possible honor. Forty-five years ago, while I was still a babe in the cradle, around the home fireside there sat a man with his wife and the children. The father talked about the people he had met and the things that had been done at the first prison congress held in the United States. That was in 1870. All during my father's lifetime one of his deepest interests, his chiefest interest, was in the men and women for whose improvement, help and reformation this organization has been deliberating for forty-five years. I could not but think of him this evening as being present in spirit and looking down, possibly not without some pride, upon an unworthy successor.

I want to say to you from the depths of my heart I have enjoyed the position. I have done the best I could to discharge the duties of president gracefully. Sometimes I have not been as careful of the feelings of some of you as I might have been, but that has been without intention and I hope we are all going away in the spirit of brotherly love.

I want to express again my very profound gratitude for the patience and the kindness and the helpfulness that you have given to me during the past five days.

I must speak of one man whose work for this association none of you can fully appreciate. For the past year his efforts have been centered upon making this Congress a great, big success. There was an element of pride in it, to be sure, but there was an element

of personal friendship, also, and I know better than most of you and I can appreciate more than any of you how much we all owe to Mr. Sehon for the work he has done during the past year as General Secretary.

I do not remember how many years ago it was, but it was back in the distance, when there slipped into the American Prison Association a new member. He came quietly, modestly, and without the sound of trumpet. He was a very gentle and a very wholesome man. During all the years that have intervened he has attended our annual meetings year after year, most of the time accompanied by his dear wife, faithful in his work for the association, attending upon its discussions, but not often taking part, because he is modest. But he is one of those men who exhales an atmosphere and influence and it is an atmosphere and an influence for good. It helps the people who come into it. I know, because it has been good for me to have been in that atmosphere and under that influence. His is the type of prison official that makes me a little resentful of the public attitude. Much of the "stuff" that is given the public for consumption misleads the public as to the quality and character of most of our prison officials. They are "big" men and they are men of heart and men of great optimism, and I speak what I know. And one of these men you have elected as your president for next year. Nothing in all my presidential career, which I am now just about to close, has given me half the pleasure as turning the office over to Warden Arthur Pratt, of Salt Lake City, Utah, my successor.

Mr. Pratt: Ladies and gentlemen and members of the Prison Association, I indeed consider it a high honor to have been elected by you tonight and I appreciate it all the more for the reason that it is the first time in the history of this organization that a man west of the Rocky Mountains has obtained this position. While I have been in this business as an officer and as a warden for some forty years, there is nothing that has given me the pleasure that I now feel tonight in being elected to this honorable position. I am unprepared to speak, as it was unsought for by me and was a surprise.

I hope you will all be at Buffalo next year. As your president I will give you my best efforts to make the meeting a success.

Mr. Schon: I can truthfully say I believe this is the happiest moment of my life, when I think I have laid down my position and authority as secretary of the American Prison Association. But I want to say to you that during the year it has been a labor of love. I have tried in every way possible to reach you, or touch you, or impress you in some way that would mean something for this meeting.

This association means much for this country and nation and in fact, for the world, and if we live up to the high ideals we are expressing from year to year it will not be long until this one body will be the greatest power for good the world has ever known. May God bless the American Prison Association.

President Byers: I am now going to ask Archdeacon B. M. Spurr to dismiss us with a word of prayer and the benediction.

Adjourned, 10:30 p. m.

THE AMERICAN PRISON ASSOCIATION.

Report of the Committee on Organization.

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J. B. WOOD, Superintendent Penitentiary, Richmond, Va.

FRANK MOORE, Superintendent State Reformatory, Rahway, N. J.

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Assistant Secretaries.

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 JAMES RUSSELL, Warden Branch Prison, Marquette, Mich.
 DR. F. L. CHRISTIAN, Asst. Supt. State Reformatory, Elmira, N. Y.
 EDWARD J. FOGARTY, Warden Indiana State Prison, Michigan City, Ind.
 COL. W. H. LINDSAY, Warden Provincial Prison, Winnipeg, Man.
 C. C. McCLAUGHEY, Superintendent Reformatory, Anamosa, Iowa.
 T. J. KENNEY, South Houston, Texas.
 W. B. CHOISSEY, Menard, Ill.
 WARD A. GARNER, Warden State Prison, Wethersfield, Conn.
 DR. J. H. RIVERS, Warden Provincial Gaol, Lethbridge, Alberta, Can.
 MAJOR C. B. HATCH, Supt. U. S. Reformatory, Port Royal, S. C.
 F. S. TALCOTT, Warden State Prison, Bismarck, N. D.
 HENRY K. W. SCOTT, Supt. State Reformatory, St. Cloud, Minn.

Committee on Discharged Prisoners.

F. EMERY LYON, Supt. Central Howard Association, Chicago, Ill., Chairman.

WARREN F. SPALDING, Secretary Massachusetts Prison Assn., Boston, Mass.

JUDGE EDWARD F. WAITE, Minneapolis, Minn.

MAJOR W. H. FRAZIER, 24 Alberta street, Toronto, Ont.

W. G. McLAREN, Supt. Prison League, Portland, Ore.

COL. E. J. PARKER, Prison Secretary Salvation Army, New York, N. Y.

ALBERT H. VOTAW, Secy. Pennsylvania Prison Society, Philadelphia, Pa.

REV. J. L. SUTTON, Secretary Prison Reform Assn., New Orleans, La.

MAJOR M. A. MESSLEIN, Chicago, Ill.

WILLIAM H. VENN, Parole Officer, Detroit, Mich.

MAJOR WALTER COLLINS, Volunteers' Prison League, Columbus, Ohio.

LT. COL. E. MARCUSSEN, Salvation Army, Chicago, Ill.

MRS. MAUD BALLINGTON BOOTH, Volunteers of America, New York, N. Y.

Committee on Statistics of Crime.

WILLIAM T. CROSS, Gen. Secy. Nat. Conf. of Char. and Cor., 315 Plymouth Court, Chicago, Ill., Chairman.

AMOS W. BUTLER, Secretary Board of State Charities, Indianapolis, Ind.

ALBERT H. VOTAW, Secy. Penn. Prison Society, Philadelphia, Pa.

FREDERICK L. HOFFMAN, Statistician Prudential Life Insurance Co., Newark, N. J.

JOHN KOREN, 25 Pemberton Square, Boston, Mass.

M. J. TAPPINS, Secretary Board of Control, Madison, Wis.

FINDLAY SPENCER, Secy. Prisoners' Aid Assn., Toronto, Ontario, Can.

JOHN F. TREMAIN, Secy. State Com. of Prisons, Albany, N. Y.

Special Committee on Jails, Workhouses and Penal Farms.

JOHN JOY EDSON, Washington, D. C., Chairman.

R. R. PENN, Keeper of Penitentiary, Richmond, Va.

FRANK R. McDONALD, Supt. City Workhouse, Minneapolis, Minn.

FRED WARD, County and City Work Farm, Duluth, Minn.

JOHN L. WHITMAN, Supt. House of Correction, Chicago, Ill.

WILLIAM THOMAS, Secy. Board of State Charities, Denver, Colo.

HARRY A. DRIGGS, Supt. Provincial Gaol, Fort Saskatchewan, Alberta, Can.

J. O. STUTSMAN, Kansas City, Mo.

DR. W. H. OATES, Montgomery, Ala.

DR. OSCAR DOWLING, New Orleans, La.

C. E. TALKINGTON, Supt. Indiana State Farm, R. R. 7, Greencastle, Ind.

AUXILIARY ASSOCIATIONS.

Wardens' Association.

PRESIDENT—JOHN F. LEONARD, Warden State Penitentiary, Baltimore, Md.

FIRST VICE-PRESIDENT—WARD A. GARNER, Warden State Prison, Wethersfield, Conn.

SECOND VICE-PRESIDENT—HENRY DRUM, Warden State Prison, Walla Walla, Wash.

SECRETARY—FRANK R. McDONALD, Supt. Workhouse, Minneapolis, Minn.

EXECUTIVE COMMITTEE—

A. H. LESLIE, Supt. Allegheny County Workhouse, Hoboken, Pa.

M. Z. WHITE, Warden State Penitentiary, Moundsville, W. Va.

JOHN B. McMANUS, Supt. Penitentiary, Santa Fe, N. M.

DONALD B. OLSON, Supt. State Reformatory, Monroe, Wash.

NATHAN F. SIMPSON, Warden State Prison, Jackson, Mich.

Chaplains' Association.

HONORARY PRESIDENT—REV. J. W. BATT, Concord Junction, Mass.

PRESIDENT—REV. C. F. BENSON, Chaplain State Prison, Stillwater, Minn.

FIRST VICE-PRESIDENT—REV. GEO. A. SHRAFE, Chaplain State Prison, Walla Walla, Wash.

SECOND VICE-PRESIDENT—REV. W. S. BASSETT, Concord, N. H.

THIRD VICE-PRESIDENT—REV. W. G. MACLAREN, General Superintendent Oregon Prisoners' Aid Society, Portland, Ore.

FOURTH VICE-PRESIDENT—REV. F. O. REED, Chaplain State Prison, Columbus, Ohio.

SECRETARY AND TREASURER—REV. W. M. BUZZA, Chaplain Allegheny County Workhouse, Hoboken, Pa.

Prison Physicians' Association.

PRESIDENT—PAUL E. BOWERS, M. D., Prison Physician, Michigan City, Ind.

FIRST VICE-PRESIDENT—GUY G. FERNALD, M. D., Physician of Reformatory, Concord Junction, Mass.

SECOND VICE-PRESIDENT—E. F. GREEN, M. D., Physician Reformatory, St. Cloud, Minn.

SECRETARY—DANIEL PHELAN, M. D., Surgeon Dominion Penitentiary, Kingston, Canada.

EXECUTIVE COMMITTEE—

DR. EDITH R. SPAULDING, Physician Women's Prison, South Framingham, Mass.

DR. JOHN P. BENSON, Physician Joliet Penitentiary, Joliet, Ill.

DR. W. H. KRAMER, Physician to Penitentiary, Wilmington, Del.

Association of Governing Boards.

- PRESIDENT**—J. H. McCONLOGUE, Chairman Iowa State Board of Control, Des Moines, Iowa.
- FIRST VICE-PRESIDENT**—C. L. DOTSON, Member State Board of Charities and Correction, Sioux Falls, S. D.
- SECOND VICE-PRESIDENT**—FRANK L. HAUX, Member Board of Charity, Cheyenne, Wyo.
- SECRETARY**—MISS CATHERINE M. O'LEARY, Member Massachusetts Prison Commission and Board of Parole, Boston, Mass.

American Association of Clinical Criminology.

- PRESIDENT**—DR. R. B. VON KLEINSMID, President Arizona State University, Tucson, Ariz.
- SECRETARY AND TREASURER**—DR. KENOSHA SESSIONS, Supt. Indiana Girls' School, R. R. 18, Indianapolis, Ind.

Woman's Association.

- PRESIDENT**—MRS. FANNIE F. MORSE, Supt. School for Girls, Sauk Center, Minn.
- VICE-PRESIDENT**—DR. KENOSHA SESSIONS, Supt. Indiana Girls' School, R. R. 18, Indianapolis, Ind.
- SECRETARY AND TREASURER**—MRS. LESTER F. JONES, Member Board of Trustees Indiana Girls' School, Lebanon, Ind.

Boys' School Section.

- PRESIDENT**—CALVIN DERRICK, Supt. Preston School of Industry, Waterman, Cal.
- SECRETARY**—GUY C. HANNA, Supt. Indiana Boys' School, Plainfield, Ind.

The National Prisoners' Aid Society.

- PRESIDENT**—REV. JAMES PARSONS, Supt. Society for the Friendless, Minneapolis, Minn.
- VICE-PRESIDENT**—MAJ.-GENERAL EDWARD FIELDING, V.-Pres. Volunteers of America, Chicago, Ill.
- SECRETARY AND TREASURER**—C. M. THOMPSON, Supt. Prison Association, Hartford, Conn.
- EXECUTIVE COMMITTEE**—
- W. G. MACLAREN, Supt. Prison League, Portland, Ore.
 - F. EMORY LYON, Supt. Central Howard Association, Chicago, Ill.
 - E. A. FREDENHAGEN, Nat'l Supt. Society for the Friendless, Kansas City, Mo.
 - WARREN F. SPAULDING, Sec'y Mass. Prison Association, Boston, Mass.
 - COL. EDWARD J. PARKER, Social Sec'y Salvation Army, Department of the East, New York City.

Boards of Parole and Pardons.

- PRESIDENT**—JOHN B. HEBBERD, Deputy Commissioner, Massachusetts Prison Commission, Boston, Mass.
- VICE-PRESIDENT**—HENRY J. McCANN, Member of State Board of Parole, Albany, N. Y.
- SECRETARY**—DR. G. C. REDFIELD, Sec'y Board of Charities and Correction, Rapid City, S. D.

The Committee on Organization reports favorably as to suitable persons for appointment by the President of the United States, as International Prison Commissioner, the following persons:

John Koren, Boston, Massachusetts;

R. B. von KleinSmid, Tucson, Arizona;

Demarchus C. Brown, Indianapolis, Indiana;

with the suggestion that any one of these would be acceptable to the American Prison Association as International Prison Commissioner.

FRANK L. RANDALL, Chairman;

ARCHDEACON B. M. SPURR,

W. H. WHITTAKER,

DR. J. H. RIVERS,

GUY C. HANNA,

F. A. WHITTIER,

F. EMORY LYON,

Committee on Organization.

LIST OF PENAL AND REFORMATORY INSTITUTIONS IN THE UNITED STATES, CANADA AND CUBA.

ALABAMA.

Alabama Industrial School for White Boys, East Lake, D. M. Weakley, Supt.
 State Penitentiary, Wetumpke, R. L. Johnson, Warden.
 State Prison, Speigners, J. O. Benton, Warden.
 Home for Delinquent White Girls, Birmingham, Mrs. Ophelia L. Amigh, Supt.
 State Farm No. 4, Montgomery, J. N. Machen, Warden.
 School for Juvenile Negro Lawbreakers, Mt. Meigs, A. Sims, Supt.

ARIZONA.

Arizona State Prison, Florence, R. B. Sims, Supt.
 Arizona State School, Fort Grant, T. E. Pulliam, Supt.

ARKANSAS.

Arkansas Penitentiary, Little Rock, under direction Board of Commissioners; J. V. Ferguson, Chairman Board.
 Arkansas Reform School, Little Rock, W. E. Deaton, Principal.

CALIFORNIA.

State Prison, San Quentin, J. A. Johnston, Warden.
 The Preston School of Industry, Ione, Calvin Derrick, Waterman, Cal., Supt.
 Whittier State School, Whittier, Fred C. Nelles, Supt.
 State Prison, Folsom, J. J. Smith, Warden.

COLORADO.

State Industrial School for Boys, Golden, Charles Huscher, Supt.
 State Industrial School for Girls, Morrison, Miss Elizabeth Purcell, Supt.
 State Reformatory, Buena Vista, M. P. Capp, Warden.
 State Penitentiary, Canon City, Thomas J. Tynan, Warden.

CONNECTICUT.

Connecticut State Prison, Wethersfield, W. A. Garner, Warden.
 Connecticut Reformatory, Cheshire, Charles H. Johnson, Supt.
 Connecticut School for Boys, Meriden, C. M. Williams, Supt.
 Connecticut Industrial School for Girls, Middletown, W. G. Fairbank, Supt.
 House of the Good Shepherd, Hartford, Mother Superior, Supt.
 St. John's Industrial School, Deep River, in charge of Xaverian Brotherhood.
 George Junior Republic, Litchfield, S. J. Davis, Supt.

DELAWARE

Ferris Industrial School, Marshalltown, Edgar L. Stewart, Supt.
 New Castle County Workhouse, Wilmington, Richard F. Cross, Warden.
 Delaware Industrial School for Girls, Wilmington, Mrs. Emma S. Jackson, Supt.

DISTRICT OF COLUMBIA.

Washington Asylum and Jail, Washington, Louis F. Zinkham, Supt.
 District of Columbia Workhouse, Occoquan, Va., W. H. Whittaker, Supt.
 National Training School for Boys, Badensburg Road, D. C., George A. Stirling, Supt.
 National Training School for Girls, Conduit Road, D. C., Mrs. Jennie A. Griffith, Supt.

FLORIDA.

Industrial School for Boys, Marianna, L. H. Putnam, Supt.
 State Prison (prisoners are under the immediate supervision and control of the Board of Commissioners of State Institutions and the Commissioner of Agriculture. State prisoners work in the turpentine industry and on the public roads).
 Prison Farm, Ocala, D. W. Purvis, Supt.

GEORGIA.

Reformatory for Boys, Milledgeville, J. E. Lovron, Supt.

IDAHO.

State Penitentiary, Boise, John W. Snook, Warden.
The Industrial Training School, St. Anthony, J. T. Humphreys, Supt.

ILLINOIS.

State Training School for Girls, Geneva, Carrie S. O'Connor, Supt.
St. Charles School for Boys, St. Charles, G. Charles Griffiths, Managing Officer.
Illinois State Penitentiary, Joliet, Michael Zimmer, Warden.
Illinois State Reformatory, Pontiac, William C. Graves, General Supt.
Southern Illinois Penitentiary, Chester, W. V. Choisser, Warden.
Adams County House of Correction, Quincy, Gottfried Everhardt, Supt.
Chicago House of Correction, Chicago, John L. Whitman, Supt.

INDIANA.

Indiana State Farm, Putnamville, C. E. Talkington, Supt.
Indiana State Prison, Michigan City, E. J. Fogarty, Warden.
Indiana Reformatory, Jeffersonville, Dr. D. C. Peyton, Supt.
Indiana Woman's Prison, Indianapolis, Miss Margaret M. Elliott, Supt.
Indiana Boys' School, Plainfield, Guy C. Hanna, Supt.
Indiana Girls' School, Clermont, Dr. Kenosha Sessions, Supt.
Marion County Workhouse, Indianapolis, J. T. O'Connor, Supt.

IOWA.

Industrial School for Girls, Mitchellville, Mrs. Lucy M. Sickels, Supt.
Industrial School for Boys, Eldora, W. L. Kuser, Supt.
The Reformatory, Anamosa, C. C. McClaughry, Warden.
State Penitentiary, Fort Madison, J. C. Sanders, Warden.

KANSAS.

State Penitentiary, Lansing, J. K. Codding, Warden.
Industrial Reformatory for Young Men, Hutchinson, J. N. Herr, Supt.
Boys' Industrial School, Topeka, H. W. Charles, Supt.
Girls' Industrial School, Beloit, Frank R. Wilson, Supt.

KENTUCKY.

State Reformatory, Frankfort, A. J. G. Wells, Warden.
State Penitentiary, Eddyville, John B. Chilton, Warden.
Houses of Reform, Greendale, John W. Milliken, Supt.
Industrial School of Reform, Louisville, W. C. Brown, Supt.
City Workhouse, Louisville, W. L. Jacobs, Supt.
City Workhouse, Shelbyville, John Jennings, Keeper.

LOUISIANA.

State Penitentiary, Baton Rouge, A. D. Bryan, Warden.
Louisiana Training Institute, Monroe, Rev. D. C. Barr, Supt.
House of Detention, New Orleans, M. Picheloup, Supt.

MAINE.

State School for Girls, Hallowell, Miss Gertrude L. MacDonald, Supt.
Maine State Prison, Thomaston, Elmer H. Waterhouse, Warden.
State School for Boys, South Portland, Charles Dunn, Jr., Supt.

MARYLAND.

Maryland Penitentiary, Baltimore, John F. Leonard, Warden.
Maryland House of Correction, Jessups, Gustavus B. Timanus, Supt.
House of Reformation, Cheltenham, John G. Ferris, Supt.
Maryland School for Boys, Loch Raven, A. E. Upham, Supt.
Industrial School for Colored Girls, Melvale, Mrs. Florence S. Pennington, Supt.

MASSACHUSETTS.

State Prison, Charlestown, N. D. Allen, Warden.
 Massachusetts Reformatory, Concord Junction, Col. C. B. Adams, Supt.
 Reformatory for Women, South Framingham, Mrs. J. D. Hodder, Supt.
 Prison Camp and Hospital, West Rutland, George C. Erakine, Supt.
 State Farm, Bridgewater, H. M. Blackstone, Supt.
 Industrial School for Boys, Shirley, George P. Campbell, Supt.
 Lyman School for Boys, Westborough, Elmer L. Coffeen, Supt.
 Industrial School for Girls, Lancaster, Mrs. A. F. Everall, Supt.
 Essex County Jail and House of Correction, Salem, Samuel A. Johnson, Master.
 Hampshire County House of Correction and Jail, Northampton, Maurice Fitzgerald, Master and Keeper.
 House of Correction, Ipswich, Charles E. Goodhue, Master.
 House of Correction and Jail, Lawrence, Jesse F. Brown, Master and Keeper.
 Suffolk County House of Correction, Deer Island, Boston, James E. Cronin, Master.

MICHIGAN.

Industrial School for Boys, Lansing, Joseph M. Frost, Supt.
 Industrial Home for Girls, Adrian, Mrs. Mary C. Johnson, Supt.
 Michigan State Prison, Jackson, Nathan F. Simpson, Warden.
 State House of Correction and Branch of the State Prison in the Upper Peninsula, James Russell, Marquette, Mich., Warden.
 Michigan Reformatory, Ionia, Otis Fuller, Warden.
 Detroit House of Correction (all women prisoners of state maintained therein), Bernhardt Jacob, Detroit, Mich., Supt.

MINNESOTA.

State Training School for Boys, Red Wing, J. T. Fulton, Supt.
 State Reformatory, St. Cloud, H. K. W. Scott, Supt.
 State Prison, Stillwater, C. S. Reed, Warden.

Home School for Girls, Sauk Center, Mrs. Fannie F. Morse, Supt.
 City Workhouse, Minneapolis, Frank R. McDonald, Supt.
 City Workhouse, St. Paul, Henry W. Goetsinger, Supt.

MISSISSIPPI

State Penitentiary, Jackson, E. J. O'Keefe, Supt.
 Belmont Farm, Tchula, R. E. Walt, Serg't.
 Oakley Farm, Oakley, Jas. W. Williamson, Serg't.
 Rankin Farm, Jackson, S. Grantham, Serg't.
 City Workhouse, Vicksburg.

MISSOURI.

State Penitentiary, Jefferson City, D. C. McClung, Warden.
 Missouri Training School for Boys, Boonville, Col. R. C. Clark, Supt.
 State Industrial Home for Girls, Chillicothe, Mrs. A. M. Clay Ives, Supt.
 City Workhouse, St. Louis, Frank J. Primavesi, Supt.
 Jefferson City Workhouse, Jefferson City.
 Women's Reformatory, Kansas City, Mrs. Louise Doehler, Matron.
 Municipal Farm, Leeds, J. O. Stutsman, Supt.
 St. Joseph City Workhouse, St. Joseph, Ben L. Arnholt, Supt.

MONTANA.

State Prison, Deer Lodge, Frank Conley, Warden.
 State Industrial School, Miles City, A. C. Dorr, Pres.

NEBRASKA.

State Penitentiary, Lincoln, W. T. Fenton, Warden.
 State Industrial School for Boys, Kearney, R. V. Clark, Supt.
 Girls' Industrial School, Geneva, Miss Lydia J. McMahan, Supt.

NEVADA.

Nevada State Prison, Carson City, Denver S. Dickerson, Warden.

NEW HAMPSHIRE.

State Prison, Concord, Charles H. Rowe, Warden.

State Industrial School, Manchester, W. C. Morton, Supt.

NEW JERSEY.

State Prison, Trenton, Richard Hughes, Warden.

State Home for Boys, Jamesburg, Capt. Richard J. Drever, Supt.

State Home for Girls, Trenton, Mrs. E. V. H. Mansell, Supt.

State Reformatory, Rahway, Dr. Frank Moore, Supt.

Woman's Reformatory, Clinton, Miss May Caughey, Supt.

Essex County Penitentiary, Newark, Ferdinand J. Hosp, Warden.

Hudson County Penitentiary, Jersey City, James F. Kelly, Warden.

Mercer County Penitentiary, Trenton, Clark Hendrickson, Warden.

NEW MEXICO.

New Mexico Penitentiary, Santa Fe, J. B. McManus, Supt.

New Mexico Reform School, Springer, James D. McPike, Supt.

NEW YORK.

New York State Reformatory, Elmira, P. J. McDonnell, Supt.

Eastern New York Reformatory, Napanoch, George Deyo, Supt.

House of Refuge, Randall's Island, Col. E. C. Barber, Supt.

State Prison, Auburn, Charles F. Rattigan, Warden.

State Prison, Danemora, John B. Trombly, Warden.

Sing Sing Prison, Ossining, George W. Kirchwey, Warden.

Great Meadow Prison, Comstock, William J. Homer, Warden.

State Farm for Women, Valatie, J. H. Mealey, Warden.

New York Reformatory for Women, Bedford, Mary Rebecca Moore, Supt.

Matteawan State Hospital, Beacon, Dr. R. F. C. Kleb, Supt.

Albany County Penitentiary, Albany, William C. DeRouville, Keeper.

Erle County Penitentiary, Buffalo, Harry M. Kaiser, Supt.

New Hampton Farms, New Hampton, R. Rosenbluth, Supt.

Onondaga County Penitentiary, Jamesville, John S. Markell, Supt.

The New York County Penitentiary, Blackwell's Island, Patrick Hayes, Warden.

Workhouse, Blackwell's Island, Frank W. Fox, Warden.

NORTH CAROLINA.

State Prison, Raleigh, J. S. Mann, General Superintendent of Prisons.

State Prison, Raleigh, S. J. Busbee, Warden.

Camp No. 1, State Farm, Tillery, C. J. Rhem, Captain.

Camp No. 2, State Farm, Tillery, C. N. Christian, Captain.

Stonewall Jackson Training School, Concord, Charles A. Boger, Supt.

NORTH DAKOTA.

Reform School, Mandan, J. W. Brown, Supt.

Penitentiary, Bismarck, F. S. Talcott, Warden.

OHIO.

The Ohio Penitentiary, Columbus, P. E. Thomas, Warden.

The Boys' Industrial School, Lancaster, Capt. R. U. Hastings, Supt.

The Girls' Industrial School, Delaware, Mrs. Margaret E. McNamara, Chief Matron.

The Ohio State Reformatory, Mansfield, James A. Leonard, Supt.

The Ohio Reformatory for Women, Marysville, Mrs. L. M. Mittendorf, Supt.

Workhouse, Xenia, D. E. Crow, Supt.

Workhouse, Cincinnati, Ferd Bader, Supt.

Workhouse, Dayton, A. J. Neutzholzer, Supt.

Workhouse, Columbus, G. R. McDonald, Supt.

Workhouse, Canton, E. M. Boyer, Supt.

Workhouse, Cleveland, W. H. Thomas, Warrensville, Supt.

Workhouse, Toledo, George Demuth, Supt.

Workhouse, Zanesville, J. H. Scott, Supt.

OKLAHOMA.

State Penitentiary, McAlester, R. W. Dick, Warden.
 State Reformatory, Granite, A. V. Skelton, Warden.
 Boys' Training School, Pauls Valley, E. B. Nelson, Supt.
 Home for Incurable Girls, Oklahoma City, Mrs. Angie A. Russell, Matron.

OREGON.

State Penitentiary, Salem, J. W. Minto, Warden.
 Oregon State Industrial School for Girls, Salem, Mrs. Esther M. Hopkins, Supt.
 Oregon State Training School, Salem, Will S. Hale, Supt.

PENNSYLVANIA.

Eastern Penitentiary, Philadelphia, Robert J. McKenty, Warden.
 Western Penitentiary, Pittsburgh, John Francis, Warden.
 Pennsylvania Industrial Reformatory, Huntingdon, T. B. Patton, Supt.
 Pennsylvania Training School, Morgantown, William F. Penn, Supt.
 Glen Mills Schools, Boys' Dept., Glen Mills, F. H. Nibecker, Supt.
 Glen Mills Schools, Girls' Dept., Darlington, Mrs. Martha P. Falconer, Supt.
 Allegheny County Workhouse, Hoboken, A. H. Lealle, Supt.
 Philadelphia County Prison, Philadelphia, F. A. Cooke, Supt.

RHODE ISLAND.

State Prison, Howard, Almer J. Davis, Warden.
 State Farm, Howard, Fred B. Jewett, M. D., Supt.
 Sockanossett School for Boys, Howard, E. E. Gardner, Supt.
 Oaklawn School for Girls, Howard, Clara F. Forbush, Supt.

SOUTH CAROLINA.

State Penitentiary, Columbia, D. J. Griffith, Supt.
 Industrial School for White Boys, Florence, J. B. Johns, Supt.
 State Reformatory for Negro Boys, Columbia, R. F. D., S. A. Lindsay, Warden.

SOUTH DAKOTA.

State Penitentiary, Sioux Falls, O. S. Swenson, Warden.
 State Training School, Plankinton, A. R. Schlosser, Supt.

TENNESSEE.

State Penitentiary, Nashville, G. W. Rimmer, Warden.
 Brushy Mountain Prison, Petros, J. E. Burrow, Warden.
 Tennessee Industrial School, Nashville, Prof. W. C. Kilvington, Supt.
 Tennessee Reformatory for Boys, Nashville, W. M. Hard, Supt.

TEXAS.

State Institution for the Training of Juveniles, Gatesville, C. E. King, Supt.
 Huntsville Prison, Huntsville, D. E. Teague, Warden.
 Rusk Prison, Rusk, W. M. Ellis, Warden.
 Imperial State Farm, Sartartia, A. K. Addison, Mgr.
 Harlem State Farm, Richmond, T. C. Blakely, Mgr.
 Ramsey State Farm, Otey, K. F. Cunningham, Mgr.
 Clemens State Farm, Perry Landing, J. L. Gentry, Mgr.
 Eastham State Farm, Weldon, S. G. Granberry, Mgr.
 Jim Ferguson State Farm, Midway, W. L. Bourn, Mgr.
 Shaw State Farm, DeKalb, J. E. Frazier, Mgr.
 Wynne State Farm, Huntsville, T. G. Walker, Mgr.
 Goree State Farm, Huntsville, John F. Standley, Mgr.
 Blue Ridge Farm, Missouri City, W. G. Pryor, Mgr.
 Bassett Blakely Farm, Fulshear, R. J. Flanagan, Mgr.
 Retrieve Farm, Angleton, J. H. Weems, Mgr.
 John D. Rogers Farm, Allen Farm, W. W. Loftin, Mgr.
 Westbrook Farm, Hearne, Dan Crow, Mgr.

UTAH.

Utah State Prison, Sugar Station, Arthur Pratt, Warden.
 State Industrial School, Ogden, E. S. Hinckley, Supt.

VERMONT.

Vermont State Prison, Windsor, R. H. Walker, Supt.
 Vermont House of Correction, Rutland, M. H. Loukes, Supt.
 Vermont Industrial School, Vergennes, J. N. Burss, Supt.

VIRGINIA.

Virginia State Penitentiary, Richmond, J. B. Wood, Supt.
 State Farm, Lassiter, Edmund Ruffin, Supt.
 Laurel Industrial School, School P. O., G. L. Emmons, Supt.
 Negro Reformatory Association of Virginia, Hanover, T. J. Edwards, Supt.
 Virginia Home and Industrial School for Girls, Richmond, R. F. D., Miss Anna Peterson, Supt.
 Industrial Home School for Wayward Colored Girls, Peakes, Mrs. J. P. Barrett, Supt.
 City Farm, Lynchburg, W. H. Irving, Supt.

WASHINGTON.

State Penitentiary, Walla Walla, Henry Drum, Supt.
 Washington State Training School, Chehalis.
 Washington State Reformatory, Monroe, Donald B. Olson, Supt.

WEST VIRGINIA

West Virginia Industrial School for Boys, Grafton, H. E. Flesher, Supt.
 West Virginia Industrial Home for Girls, Industrial, Miss Jennie F. Sutton, Supt.
 West Virginia Penitentiary, Moundsville, M. Z. White, Warden.

WISCONSIN.

Wisconsin State Prison, Waupun, Daniel Woodward, Warden.
 Wisconsin State Reformatory, Green Bay, C. W. Bowron, Supt.
 Industrial School for Boys, Waukesha, Prof. A. J. Hutton, Supt.
 Industrial School for Women, Milwaukee, Miss Mary J. Berry, Supt.
 County House of Correction, Milwaukee, Wm. H. Momsen, Supt.

WYOMING.

State Penitentiary, Rawlins, Felix Alston, Warden.

U. S. PRISONS.

U. S. Penitentiary, Leavenworth, Kans., Thomas W. Morgan, Warden.
 U. S. Penitentiary, Atlanta, Ga., Fred G. Zerbst, Warden.
 U. S. Penitentiary, McNeil Island, Washington, O. P. Halligan, Warden.
 Naval Prison, Portsmouth, N. H., Lieut.-Col. Albertus W. Catlin, Commanding Officer.
 Prison and Disciplinary Ship, U. S. S. Southey, Portsmouth, N. H., Chief Boatswain W. L. Hill, Commanding Officer.

CUBA.

Presidie de la Republica de Cuba, Havana, Cuba (National Penitentiary), Gen. Demetrio Castillo, Warden.
 Escuela Reformatoria para Varones, Guanajay, P. del Rio, Cuba (Reformatory School for Boys), Dr. Rafael Seigle, Warden.
 Escuela Reformatoria para Ninas, Aldecea, Havana, Cuba (Reformatory School for Girls), superintended by the Superior Sister of Charity.
 Casa de Beneficencia y Maternidad, Havana, Cuba (Charity and Foundling Institution), Dr. Juan Mencia, Supt.

CANADIAN PENAL AND REFORMATORY INSTITUTIONS.

FEDERAL INSTITUTIONS (PENITENTIARIES).

Kingston Penitentiary, Kingston, Ontario, R. B. Creighton, Warden.
 St. Vincent de Paul Penitentiary, St. Vincent de Paul, Quebec, G. S. Malepart, Warden.
 Dorchester Penitentiary, Dorchester, New Brunswick, A. B. Pipes, Warden.
 Manitoba Penitentiary, Stony Mountain, Manitoba, W. R. Grahame, Deputy.
 British Columbia Penitentiary, New Westminster, B. C., J. C. Brown, Warden.
 Alberta Penitentiary, Edmonton, Alberta, J. C. Ponsford, Warden.
 Saskatchewan Penitentiary, Prince Albert, Sask., W. J. Macleod, Warden.

PROVINCIAL INSTITUTIONS.

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Branch.
- Andrew Mercer Reformatory, Toronto,
Ontario, Mrs. Emma J. O'Sullivan,
Supt.
- St. Mary's Industrial School, Toronto,
Ontario, Mother Mary of St. Magda-
len, Supt.
- St. John's Industrial School, East To-
ronto, Ontario, Brother Urban, Supt.
- Alexander Industrial School, East To-
ronto, Ontario, Miss Lucy W. Brook-
ing, Supt.
- Thunder Bay Industrial Farm, Fort
William, Ontario, J. R. Elliott, Supt.
- Victoria Industrial School, Mimico, On-
tario, C. Ferrier, Supt.
- The Boys' Farm and Training School,
Shawbridge, Quebec, G. W. O. Mat-
thews, Supt.
- District Jail, Quebec, Quebec, J. B.
Carbonneau, Gaoler.
- District Jail, Montreal, Quebec, J. T.
Landriault, Gaoler.
- District Jail, St. Johns, Quebec, Theo-
dore Boivin, Gaoler.
- Montreal Reformatory School for Boys,
Montreal, Quebec, Rev. Brother Her-
mias, Supt.
- Montreal Reformatory for Girls, Mon-
treal, Quebec, under direction of Good
Shepherd Nuns.
- Quebec Reformatory for Girls, Quebec,
under direction of Good Shepherd
Nuns.
- Home of Detention for Juvenile Delin-
quents, Montreal, Quebec, Conrad Des-
pault, Warden.
- Boys' Industrial Home, St. Johns, New
Brunswick, Fred E. MacDonald, Supt.
- Industrial School, Halifax, N. S., W. J.
Johns, Supt.
- St. Patrick's Home, Halifax, N. S.,
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- Mossomin Gaol, Moosomin, Sask., J. W.
Smith, Gaoler.
- Prince Albert Gaol, Prince Albert, Sask.,
C. F. McGregor, Gaoler.
- Regina Gaol, Regina, Sask., F. Kennedy,
Gaoler.
- The Boys' Detention Home, Wolseley,
Sask., J. C. Robinson, Prin.
- Saskatchewan Penitentiary, Prince Al-
bert, W. J. Macleod, Warden.
- The Provincial Jail, Fort Saskatchewan,
Alberta, H. A. Driggs, Warden.
- Provincial Gaol, Winnipeg, Manitoba, W.
H. Lindsay, Gaoler.
- Provincial Gaol, Portage La Prairie,
Manitoba, Wm. Shepherd, Gaoler.
- Provincial Gaol, Brandon, Manitoba,
James Hannay, Gaoler.
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- Provincial Gaol, Morden, Manitoba,
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- Industrial Training School, Portage La
Prairie, Manitoba, F. W. McKinnon,
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- Juvenile Detention Home, Evanson
Street, Winnipeg, Manitoba, F. J. Bil-
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- Provincial Gaol, New Westminster, B.
C., A. Turnbull, Warden.
- Provincial Industrial School for Boys,
Vancouver, B. C., D. Donaldson, Supt.
- British Columbia Penitentiary, New
Westminster, B. C., John C. Brown,
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- District Jail, Kamloops, B. C., A. Noble,
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- Provincial Gaol, Victoria, B. C., John
Munro, Warden.
- Okalla Prison Farm, Burnaby, B. C.,
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- District Jail, Nelson, B. C., W. R. Jar-
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- Provincial Industrial School for Girls,
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- Leonard, James A., Supt. State Reformatory, Mansfield, Ohio.
- Leonard, John F., Warden State Prison, Baltimore, Md.
- Leslie, A. H., Supt. Workhouse, Hoboken, Pa.
- Lewis, Burdette G., Municipal Bldg., New York City.

- Lewis, Mrs. B. G., Bronxville, N. Y.
 Lewis, Mrs. Cora Seal, Los Angeles, Cal.
 Lindley, Dr. P. H., Chippewa Falls, Wis.
 Loeber, Dr. Maud, New Orleans, La.
 Lyon, Rev. F. Emory, 79 Dearborn St., Chicago, Ill.
- McCann, Henry J., 68 State St., Albany, N. Y.
 McConlogue, J. H., State Board of Control, Des Moines, Iowa.
 McDonald, Frank B., Supt. City Workhouse, Minneapolis, Minn.
 McDonald, G. R., Supt. of Workhouse, Columbus, Ohio.
 McDonnell, P. J., Supt. of State Reformatory, Elmira, N. Y.
 McFadden, Hon. H. H., Board of State Charities, Steubenville, Ohio.
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 McKee, Mrs. W. J., Indianapolis, Ind.
 McKenty, R. J., Supt. Eastern Penitentiary, Philadelphia, Pa.
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 McManus, J. B., Santa Fe, N. M.
 McMynn, William G., Supt. State Farm, Oakalla, B. C., Canada.
 Madden, Thomas, Trenton, N. J.
 Marcussen, Lt.-Col. E., Chicago, Ill.
 Martin, A. D., Frankfort, Ky.
 Mastin, Dr. J. T., State Board of Charities, Richmond, Va.
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 Merton, Dr. Wilhelm, 24 Gulelotte St., Frankfurt, Germany.
 Messlein, Maj. M. A., 1201 Washington Boulevard, Chicago, Ill.
 Mitchell, Dr. S. T., County Workhouse, Hoboken, Pa.
 Momsen, Wm. H., Supt. House of Correction, Milwaukee, Wis.
 Montgomery, Chas., 110 Silver St., San Francisco, Cal.
 Moore, Frank, Supt. State Reformatory, Rahway, N. J.
 Morse, Mrs. Fannie F., Supt. Ind. School for Girls, Sauk Centre, Minn.
 Morton, Mrs. James Hamilton, San Francisco, Cal.
- Murphy, J. P., 324 Convent Ave., New York City.
 Murphy, Rev. M. J., 1 Monument Square, Charlestown, Mass.
- Newcomb, George B., 924 Sixth St., Bismarck, N. D.
- O'Leary, Catherine M., State Prison Commission, Boston, Mass.
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- Parker, Edward J., 130 W. Fourteenth St., New York City.
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 Penna. Public Charities Association, Empire Bldg., Philadelphia, Pa.
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 Phelan, Dr. D., Kingston Penitentiary, Kingston, Canada.
 Phipps, Henry, Pittsburgh, Pa.
 Pierson, E. G., Charleston, W. Va.
 Post, Robert W., Westport, Conn.
 Pratt, Arthur, Warden, State Penitentiary, Salt Lake City, Utah.
 Pratt Institute, Brooklyn, N. Y.
 Primavera, F. J., St. Louis, Mo.
 Prison Association of New York, 135 E. Fifteenth St., New York City.
 Prisoners' Aid Association, Baltimore, Md.
- Queen, Stuart A., 411 Call Bldg, San Francisco, Cal.
- Randall, Frank J., State House, Boston, Mass.
 Rattigan, Chas. F., Auburn, N. Y.

- Redfield, Dr. G. G., Rapid City, S. D.
 Reed, C. S., Warden State Prison, Stillwater, Minn.
 Relly, Rt. Rev., Mgr. J. L., Schenectady, N. Y.
 Rhodes, Miss L., Peniel Hall, Los Angeles, Calif.
 Rivers, Dr. J. H., Lethbridge, Alta., Canada.
 Robson, John H., Ovid, Mich.
 Rockefeller, John D., Cleveland, Ohio.
 Rogers, Dr. A. C., Institution for Feeble-Minded, Faribault, Minn.
 Rowe, Charles H., State Prison, Concord, N. H.
 Russell, James, Warden, Northern State Prison, Marquette, Mich.
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 Sawyer, Decatur M., 63 Leonard St., New York City.
 Schiff, Jacob H., William and Pine Sts., New York City.
 Schiff, Mortimer L., P. O. Box 1193, New York City.
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 Scott, Joseph F., Eden Mills, Vt.
 Scott, Henry K. W., Supt. State Reformatory, St. Cloud, Minn.
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 Sexton, Wm. 425 Lake St., San Francisco, Cal.
 Sheafe, Rev. George A., Walla Walla, Wash.
 Shepard, Mrs. Helen M. Gould, 576 Fifth Ave., New York City.
 Sherwood, A. P., Ottawa, Canada.
 Sickels, Mrs. Lucy M., Supt. Industrial School for Girls, Mitchellville, Iowa.
 Shideler, George A. H., 612 W. Fourth St., Marion, Ind.
 Shirer, H. H., 1010 Hartman Bldg., Columbus, Ohio.
 Sillito, Mrs. A. W., 45 Broad St., Akron, Ohio.
 Simpson, Nathan F., Jackson, Mich.
 Sims, R. B., Supt. State Prison, Florence, Ariz.
 Smith, Eugene, 31 Nassau St., New York City.
 Smith, Gilbert, Ottawa, Canada.
 Spaulding, Dr. Edith R., Reformatory for Women, South Framingham, Mass.
 Spurr, Rev. B. M., Moundsville, W. Va.
 Stanyon, Thomas, 120 W. Fifteenth St., New York City.
 Starks, Maj. Jessie F., 143 E. Seventh St., Portland, Ore.
 Stedman, James H., So. Braintree, Mass.
 Stevens, Hon. Richard, 1 Newark St., Hoboken, N. J.
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 Stokes, J. G. Phelps, 100 William St., New York City.
 Stone, Chas. H., Carson City, Nev.
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 Vasaly, Charles E., State Board of Control, St. Paul, Minn.
 Venn, Wm. H., 243 Connecticut Ave., Highland Park, Mich.
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 Ward, Fred, Duluth, Mich.
 Webster, George, Jr., Marion, Ind.
 Wells, A. J. G., Warden, State Prison, Frankfort, Ky.
 Wernicke, O. H. L., Grand Rapids, Mich.
 White, M. Z., Warden, State Penitentiary, Moundsville, W. Va.
 Whitman, John L., House of Refuge, Chicago, Ill.
 Whittaker, W. H., Supt. D. C. Workhouse, Occoquan, Va.
 Whittier, F. A., Parole Agent, Penal Institutions, Stillwater, Minn.

Wightman, Walter R., Providence, R. I.
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 Richmond, Va.
 Wright, Allan F., Denver, Colo.

Yawman & Erbe Mfg. Co., Rochester,
 N. Y.
 York, E. E., Clarksville, Tenn.
 Zimmerman, W. Carbys, Steinway Hall,
 Chicago, Ill.

REPORT OF H. H. SHIRER, FINANCIAL SECRETARY.

REPORT FROM SEPTEMBER 30, 1914, TO SEPTEMBER 28, 1915.

Balance on hand	\$1,247 17
Receipts for membership dues	\$1,445 00
Receipts from sale of books	271 25
Interest	30 00
	<hr/>
	1,746 25
	<hr/>
Total	\$2,993 42
Dec. 2, 1914. Check to Treasurer.....	\$1,700 00
Sept. 28, 1915. Check to Treasurer.....	780 00
	<hr/>
	2,480 00
	<hr/>
Balance on hand	\$513 42

Respectfully submitted,

H. H. SHIRER,
 Financial Secretary.

REPORT OF THE TREASURER.

(The following report from the Treasurer was received subsequent to the Oakland meeting and was therefore not examined by the Auditing Committee.)

THE AMERICAN PRISON ASSOCIATION.

STATEMENT OF CONDITION AT CLOSE OF BUSINESS DECEMBER 1, 1915.

Receipts.

1914.	
Dec. 2. Transferred from Century Bank, N. Y.....	\$1,113 06
" 3. Received from former Treasurer.....	1,700 00

1915.		
Jan. 1.	Deposit (coupon)	\$50 00
Apr. 27.	Deposit	750 00
July 1.	Deposit (coupon)	50 00
Sept. 29.	Deposit	780 00
Nov. 11.	Deposit	600 00

Total

\$5,063 06

Disbursements.

1914.		
Dec. 8.	W. H. Moyer, Warden, printing, account Wardens' Association	\$12 66
" 8.	Joseph P. Byers, postage.....	10 00
" 8.	Joseph P. Byers, postage.....	13 43
" 8.	Joseph P. Byers, honorarium.....	500 00
" 8.	State Gazette Publishing Co., stationery and printing	42 75
" 8.	Hazel Titus, clerical service.....	60 00
" 8.	Hazel Titus, clerical service.....	20 00
" 8.	H. H. Shirer, printing and postage.....	59 90
" 23.	Wm. B. Burford, expressage on volumes....	33 71
" 23.	State Gazette Publishing Co., printing.....	10 00
" 23.	Leon Harrison, expense account annual sermon	22 00
" 23.	Leon Harrison, Aberdeen Hotel, expense ac- count annual sermon	19 17
" 23.	Leon Harrison, Roth Hotel, expense account annual sermon	8 40
1915.		
Mar. 25.	J. P. Byers, express and telegraph.....	7 14
" 25.	H. L. Titus, clerical service.....	40 00
" 31.	Geo. L. Sehon, postage.....	10 00
" 31.	Geo. L. Sehon, postage.....	15 00
" 31.	Standard Printing Co., printing.....	29 00
Apr. 1.	Geo. L. Sehon, office expense.....	3 45
" 1.	J. P. Byers, expenses, trip to Louisville, Ky.	58 91
" 1.	J. P. Byers, expenses, trip to California (preliminary arrangements for Oakland meeting)	274 50
June 12.	Geo. L. Sehon, expenses, trip to Baltimore, Md.	97 10
" 12.	Kentucky Print Shop, printing.....	58 39
" 25.	Wm. B. Burford, printing volume 1914....	1,263 43
" 25.	Geo. L. Sehon, expenses.....	13 40
" 26.	Kentucky Print Shop, printing.....	12 10

July 20.	Geo. L. Sehon, postage.....	\$20 00	
" 20.	Norma Sutherland, clerical services.....	25 00	
Aug. 20.	Kentucky Print Shop, printing.....	7 65	
" 20.	Geo. L. Sehon, expenses, trip to Cincinnati.	12 70	
" 20.	Kentucky Print Shop, printing.....	9 85	
" 20.	Wm. B. Burford, inventory of volumes....	7 00	
" 30.	Geo. L. Sehon, clerical services Miss Stitzel	5 25	
" 30.	Geo. L. Sehon, postage.....	40 00	
" 30.	Kentucky Print Shop, printing.....	44 50	
Sept. 23.	Wm. I. Day, services at Oakland, Cal.....	50 00	
" 23.	J. P. Byers, expenses office and traveling..	38 40	
" 23.	Norma Sutherland, clerical services.....	25 00	
" 23.	Oecil Paul, clerical services.....	3 00	
" 23.	Geo. L. Sehon, postage.....	5 00	
Nov. 13.	Geo. L. Sehon, expenses, account Oakland meeting	96 41	
" 13.	Geo. L. Sehon, honorarium.....	500 00	
" 18.	Kentucky Print Shop, printing.....	107 83	
" 18.	O. O. Ousley, services, account Oakland meeting	12 00	
" 18.	Geo. L. Sehon, office expense.....	3 31	
	Total		\$3,707 34
	Less exchange		1 75
	Balance in bank.....		\$1,353 97

DAVID R. FORGAN,
Treasurer.

December 3, 1914, received from the Century Bank of New York two (2) Southern Railway Company 5% first consolidated mortgage gold bonds, Nos. 13374 and 13375, for one thousand dollars (\$1,000) each, due 1914. Interest payable January and July. The above bonds are held in safe keeping for account of the American Prison Association.

DAVID R. FORGAN,
Treasurer.

REPORT OF AUDITING COMMITTEE.

OAKLAND, CAL., October 12, 1915.

To the American Prison Association:

Your Auditing Committee respectfully reports that we have examined the accounts of the Financial Secretary, H. H. Shirer, and find them correct. His report covering the period of one year, from September 30, 1914, to September 28, 1915, is attached hereto.

We are unable to submit a report covering the accounts of the Treasurer, D. R. Forgan, the report of this official not having been received at this date.

HENRY K. W. SCOTT.
WARD GAERNER.

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APPENDIX.

Containing Charts Accompanying Paper by Jessie
D. Hodder and Edith R. Spaulding, M. D.,
on "A Graphic Method of Illustrating
Situations in Penal Institutions."
(Page 113.)

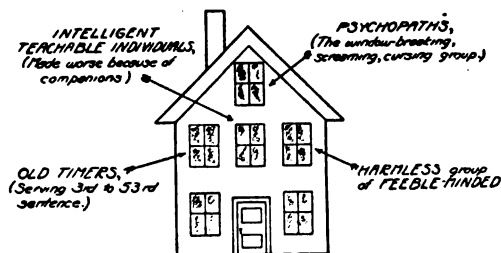
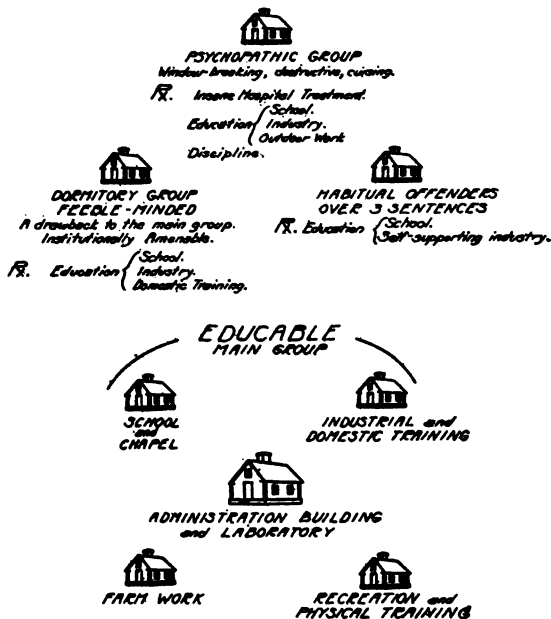


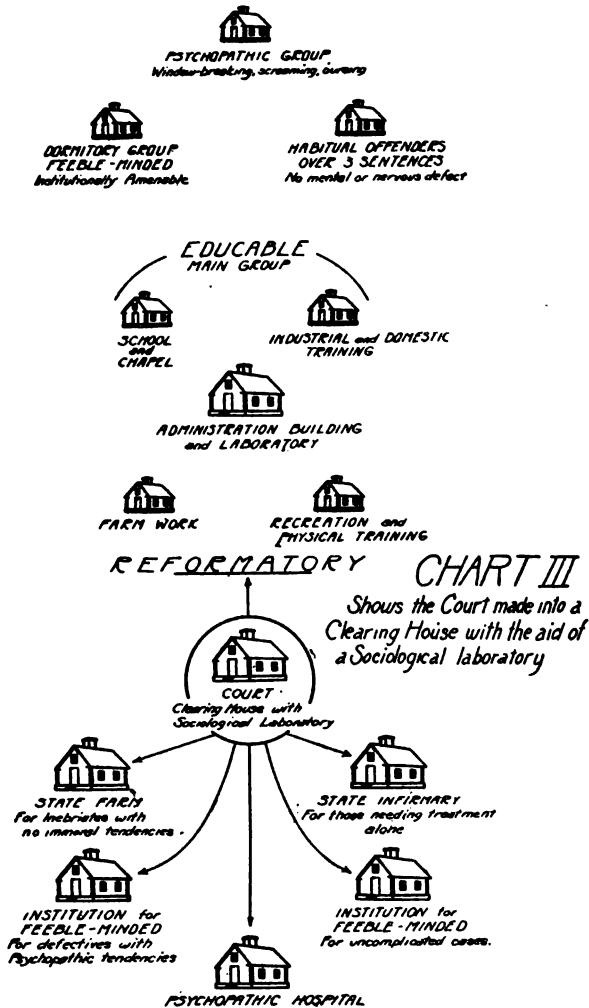
CHART I

Showing the present condition of
delinquent women under the
CONGREGATE SYSTEM
All groups handicapped by the presence of others.

CHART II

Showing ideal classification of Delinquent Women
at a Reformatory with the COTTAGE SYSTEM.





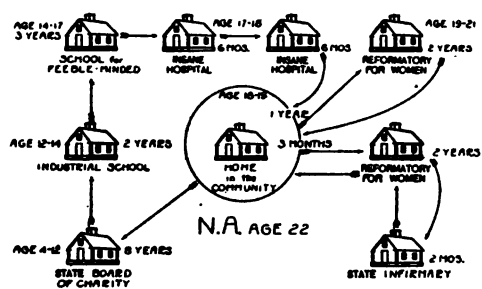
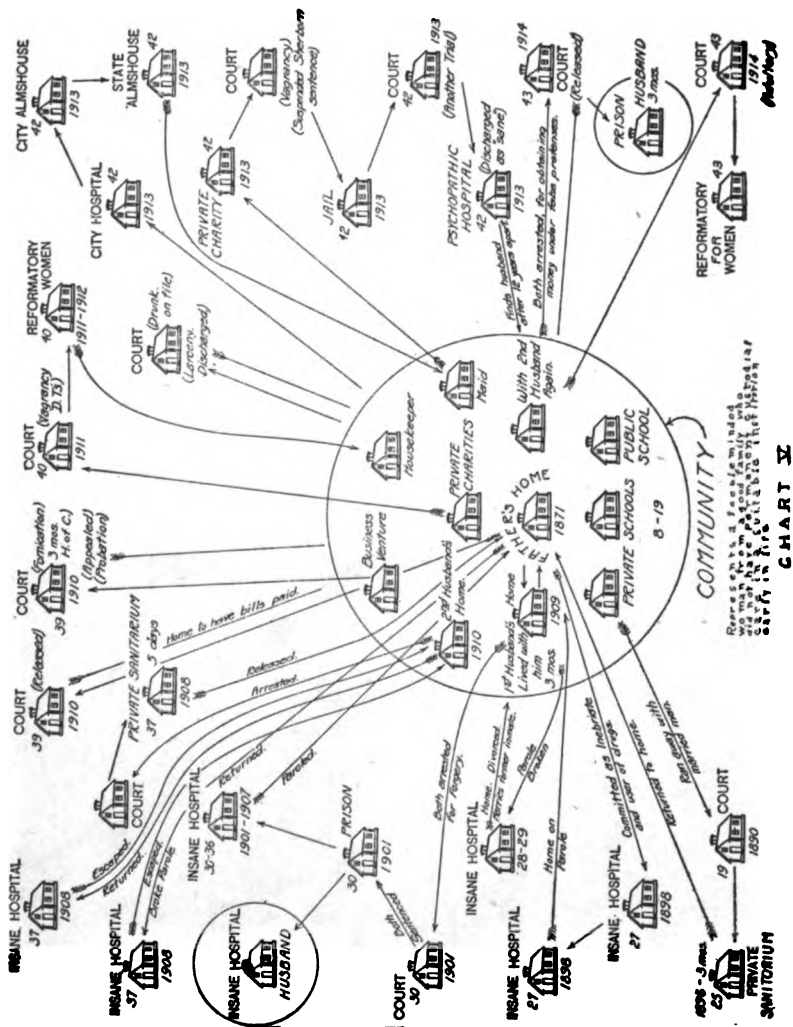


CHART IV
Showing the career
of a feeble-minded,
epileptic girl with
psychopathic tendencies





1892- REFORMATORY FOR WOMEN -1915
6 YEARS -6 MONTHS



1896- HOUSE OF CORRECTION -1914
5 YEARS -4 MONTHS

1911-1915  12 MONTHS
REFORMATORY FOR WOMEN

  17 MONTHS
HOUSE OF GOOD SHEPHERD

 ONE MONTH
HOUSE OF CORRECTION

 6 MONTHS
JAIL

B.M. AGE 39 Sx (F) MORPHINE
A COCAINE

COURT RECORD
LARCENY 1 ARREST
NIGHT WALKING 1
IDLE & DISORDERLY 2
FORNICATION 3
DUNK 1
BEING PRESENT 1
WHERE HYPONOTIC
DRUGS WERE FOUND 1
DEFAULT WARRANT 1

This girl, who should have
been permanently segregated
23 years ago at her 1st sentence,
returns for a 22nd sentence
with a bright girl of 21
who has had 3 arrests in
4 years.

MORPHINE Sx J.C. AGE 21
COCAINE

COURT RECORD
LARCENY 1 ARREST
NIGHT WALKING 1
FORNICATION 1
BEING PRESENT 1
WHERE HYPONOTIC
DRUGS WERE FOUND 1

CHART VII





*Showing the history of a woman
 arrested 45 times*

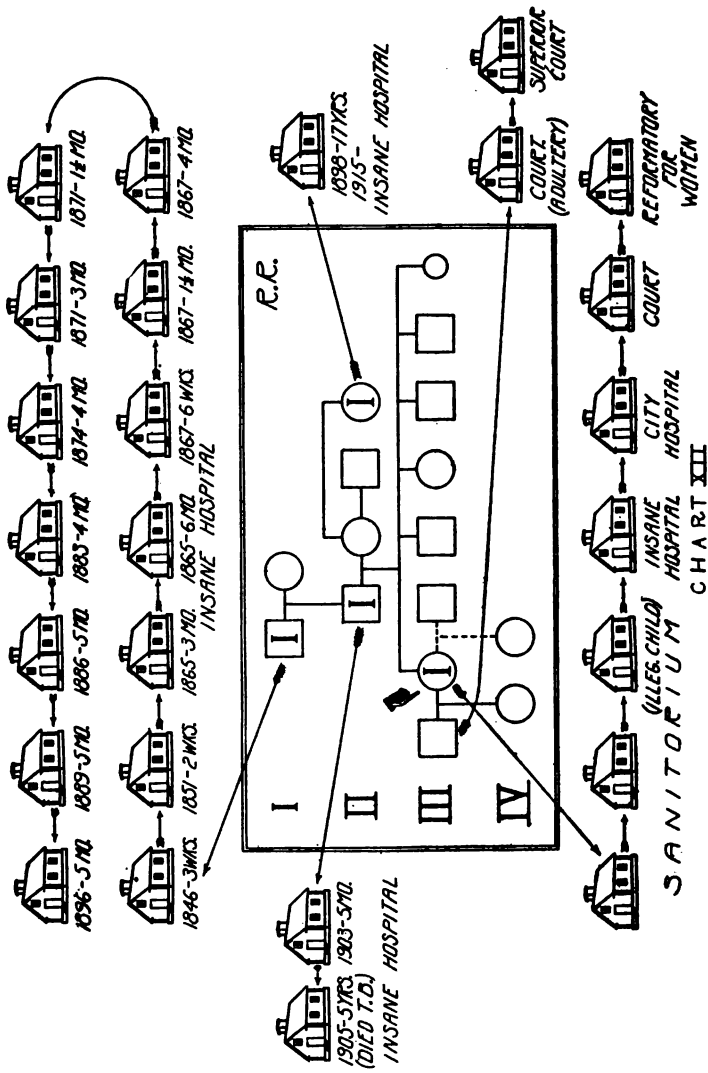
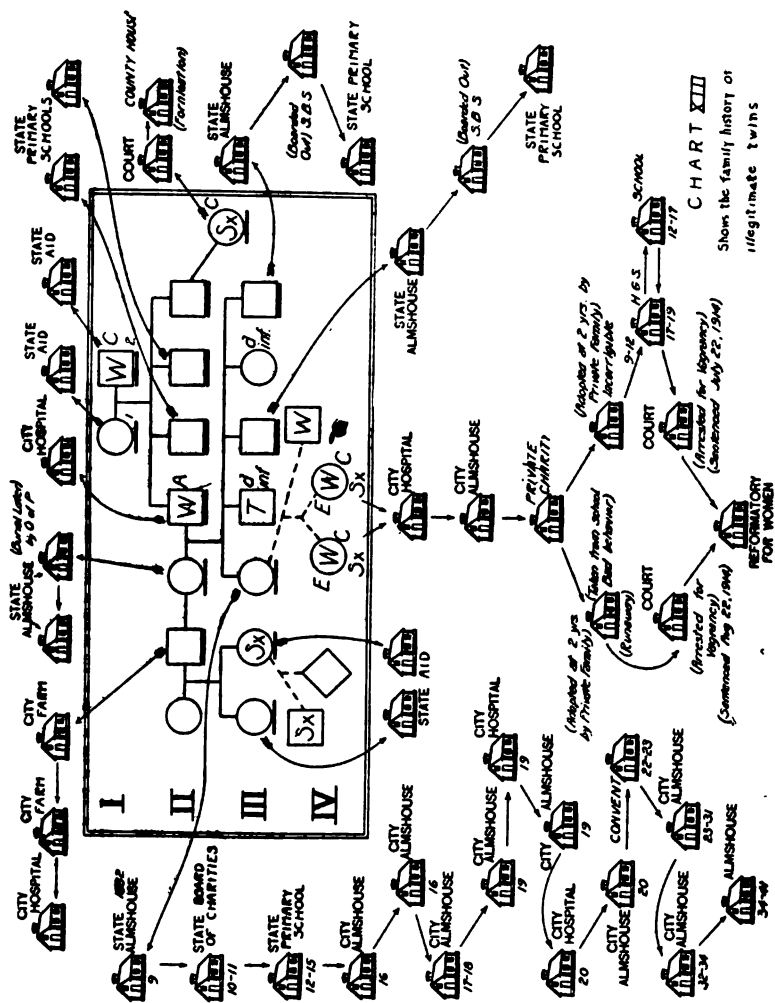


CHART XII

Showing the Predominance of Insanity in the family history of deafing deaf women



II-2  COURT
(Keeping Disorderly House)

 REFORMATORY FOR WOMEN

 COURT

 REFORMATORY FOR WOMEN

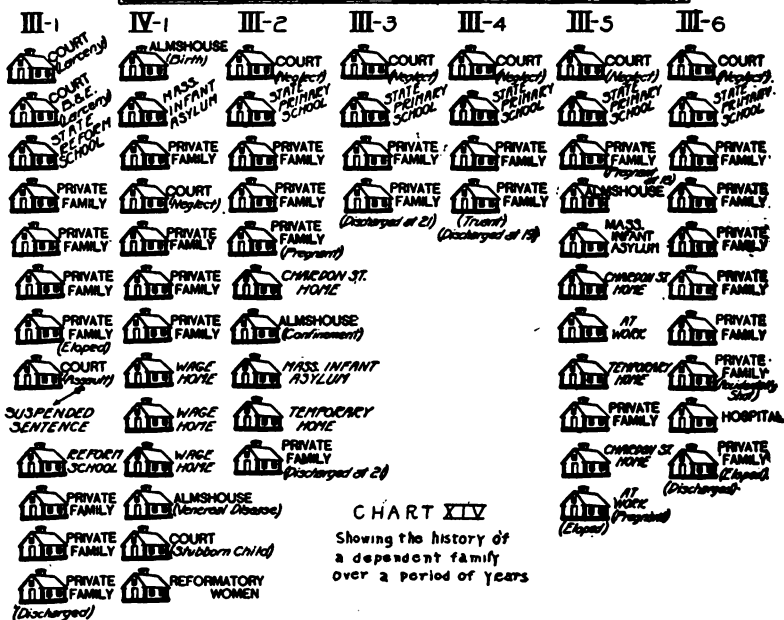
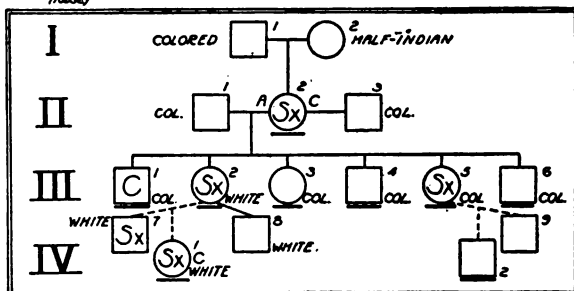


CHART XIV
Showing the history of
a dependent family
over a period of years

1871

1872



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